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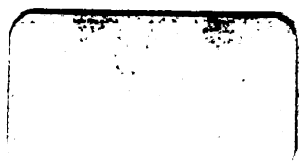
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JOURNAL  
OF  
THE SENATE  
OF THE  
COMMONWEALTH OF VIRGINIA

BEGUN AND HELD AT THE CAPITOL IN THE  
CITY OF RICHMOND,  
ON

WEDNESDAY, JANUARY 13, 1904.

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VIRGINIA  
ARCHIVE

# SENATE JOURNAL.

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WEDNESDAY, JANUARY 13, 1904.

The Senate met at 12 M., and was called to order by Lieutenant-Governor JOSEPH E. WILLARD.

Prayer by Rev. J. J. Haley.

The following communication was received from the Secretary of the Commonwealth, transmitting a list of Senators-elect:

RICHMOND, VA., *January 13, 1904.*

*To the Honorable, the Clerk of the Senate:*

SIR:

As required by law, I herewith respectfully transmit a list of the members-elect of the Senate for the term beginning this day, as ascertained and determined by the Board of State Canvassers at their meeting held the fourth Monday in November, 1903, the official record of which is on file in my office.

Very respectfully,

D. Q. EGGLESTON,  
*Secretary of the Commonwealth.*

## MEMBERS-ELECT OF THE SENATE OF VIRGINIA.

Second District—Scott, Lee, and Wise—J. C. Noel.

Fourth District—Montgomery, Roanoke city and county, and Radford—Archer A. Phlegar.

Sixth District—Carroll, Grayson, and Patrick—John F. Greear.

Eighth District—Rockingham—Geo. B. Keezell.

Tenth District—Shenandoah, Frederick, and Winchester—F. S. Tavenner.

Twelfth District—Clarke, Page, and Warren—M. J. Fulton.

Fourteenth District—Alexandria city and county, Fairfax, and Prince William—L. H. Machen.

Sixteenth District—Goochland, Chesterfield, Powhatan, and Manchester—Joseph P. Sadler.

Eighteenth District—Appomattox, Buckingham, Fluvanna, and Charlotte—Camm Patteson.

Twentieth District—Lynchburg and Campbell—A. F. Thomas.

Twenty-second District—Bedford, Rockbridge, and Buena Vista—Calloway Brown.

Twenty-fourth District—Pittsylvania and Danville—George T. Rison.

Twenty-sixth District—Franklin and Floyd—S. T. Turner.

Twenty-eighth District—Nottoway, Amelia, Lunenburg, Prince Edward, and Cumberland—William Hodges Mann.

Thirtieth District—Isle of Wight, Southampton, and Nansemond—William Shands.

Thirty-second District—Caroline, Hanover, and King William—Henry T. Wickham.

Thirty-fourth District—King George, Richmond, Westmoreland, Lancaster, and Northumberland—C. Harding Walker.

Thirty-sixth District—Elizabeth City, York, Warwick, and Newport News—Saxon W. Holt.

Thirty-eighth District—Richmond city—A. C. Harman.

RICHMOND, VA., *January 13, 1904.*

*To the Honorable, the Clerk of the Senate:*

SIR:

I have the honor to communicate that at a special election held on the 29th day of December, 1903, Hon. J. Lawrence Campbell was elected to represent the Twenty-second Senatorial District of Virginia, composed of the counties of Bedford and Rockbridge and the city of Buena Vista, to fill the vacancy caused by the death of Hon. Calloway Brown, as will appear by the certified statement of votes on file in this office, as ascertained and determined by the Board of State Canvassers at their meeting held on the fourth day of January, 1904.

Very respectfully,

D. Q. EGGLESTON,  
*Secretary of the Commonwealth.*

The roll was then called, and the following Senators responded to their names:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—36.

A quorum being present, the following Senators, having previously filed in the office of the Clerk of the Senate certificates of their election, came forward, and the Clerk administered to each of them the oath prescribed by law:

Messrs. Campbell, Fulton, Greear, A. C. Harman, Holt, Keezell, Machen, Mann, Noel, Patteson, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—19.

On motion of Mr. WICKHAM,

Resolved, That the rules for the government of the Senate shall be the rules adopted at the session 1901-1902:

# I.

## ATTENDANCE AND ADJOURNMENT.

1. No member shall absent himself from the service of the Senate without leave, unless he is sick or unable to attend.

2. A majority of Senators shall be necessary to proceed to business; five may adjourn, and nine may order a call of the Senate, send for absentees, and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any Senator until his name shall have been once enrolled.

3. When the Senate adjourns each day every Senator shall keep his seat until the President leaves his seat.

## II.

### THE PRESIDENT.

4. If any question be put upon a bill or resolution, the President shall state the same without argument.

5. The President may call any Senator to the chair, who shall exercise its functions for the time; but no Senator, by virtue of such appointment, shall preside for a longer period than three days.

6. At the commencement of each session the Senate shall elect four pages, who shall receive for their services two dollars per day each.

## III.

### THE CLERK.

7. The Clerk of the Senate shall not suffer any records or papers to be taken from the table or out of his custody by any person except a chairman of a committee; but he may deliver any bills or papers, directed to be printed, to the Superintendent of Public Printing, or to any Senator, on taking his receipt for the same.

8. The Journal of the Senate shall be daily drawn up by the Clerk, and shall be read the succeeding day; it shall be printed under the supervision of the Clerk and delivered to the Senators without delay.

9. The Clerk of the Senate shall appoint a first assistant clerk, a Journal clerk, a reading clerk, and four committee clerks, not more than one of whom shall be appointed from the same congressional district. The clerks so appointed shall remain in the Capitol during the sessions of the Senate, and the committee clerks shall be assigned by the Clerk for duty with the various standing committees, and shall perform any duties that the other committees may require, when not employed by their respective committees; and the Clerk of the Senate may also require said clerks, when not employed by the standing committees, to assist in engrossing bills or aid him in the Senate chamber when necessary. The said clerks shall be removable by the Clerk of the Senate or by the committee of which they are clerks.

10. Before reading each bill, the Clerk shall announce whether it is the first, second or third time of the reading of the bill.

11. The Clerks of the Senate and House of Delegates may interchange messages at such time between the hour of adjournment and that of meeting on the following day, as that the said messages may be read immediately after the orders of the day.

12. The Clerk of the Senate shall, at each session, have printed and bound with the manual and rules, etc., the Constitution of Virginia for the use of the Senators.

## IV.

### SERGEANT-AT-ARMS AND DOORKEEPER.

13. No Senator shall be taken into custody by the Sergeant-at-Arms on any complaint or breach of privileges until the matter is examined by the Committee of Privileges and Elections and reported to the Senate, unless by order of the Senate.

14. It shall be the duty of the Doorkeeper of the Senate to preserve, in



chronological or numerical order, a copy of every printed document distributed in the Senate, and to deliver the same at the close of the session to the Clerk of the Senate, whose duty it shall be to have them bound and preserved in his office for the use of this body.

15. In order to prevent interruption of the business of the Senate, the Doorkeeper shall be constantly at his post during the sessions of the Senate, and shall admit within the chamber no person except officers of the government of this and any other State and of the United States; members and ex-members of Congress and House of Delegates; their officers; ex-members of the Senate of Virginia; ministers of the gospel and reporters of the proceedings of the Senate; but ladies and their escorts may be assigned privileged seats. It shall be the duty of the Doorkeeper to show all persons not entitled to privileged seats to the gallery. It shall be his duty, when any person desires an interview with a Senator or the President, or the Clerk of the Senate, to send a messenger to him, and such person may be admitted to one of the privileged seats, if so invited by either of them. And the President of the Senate shall, moreover, be permitted to invite to a seat near the chair any person he may deem worthy of such distinction.

## V.

### COMMITTEES.

16. At the commencement of each session the following committees shall be elected:

I. A Committee of Privileges and Elections, to consist of not less than seven nor more than ten Senators.

II. A Committee of Courts of Justice, to consist of not less than seven nor more than eleven Senators.

III. A Committee on General Laws, to consist of not less than seven nor more than eleven Senators.

IV. A Committee on Roads and Internal Navigation, to consist of not less than seven nor more than thirteen Senators.

V. A Committee on Finance and Banks, to consist of not less than seven nor more than thirteen Senators.

VI. A Committee on Public Institutions and Education, to consist of not less than seven nor more than thirteen Senators.

VII. A Committee on County, City, and Town Organization, to consist of not less than seven nor more than ten Senators.

VIII. A Committee on Agriculture, Mining, and Manufacturing, to consist of not less than seven nor more than ten Senators.

IX. A Committee on Fish and Game, to consist of not less than seven nor more than ten Senators.

X. A Committee on Enrolled Bills, to consist of not less than seven nor more than nine Senators.

The following committees shall consist of three Senators, viz:

To examine the office of Clerk of the Senate.

On Rules.

On the Library.

On Executive Expenditures.

To examine the office of Register of the Land Office.

To examine the Bonds of Public Officers.

On the Public Printing.

There shall also be appointed by the Senate five members to serve upon the joint standing committees shall be elected by the Senate, unless the two members to serve upon the joint standing Auditing Committee.

17. The regular standing committees of the Senate and its members upon the joint standing committees shall be elected by the Senate, unless the Senate direct otherwise, and the Senator first named shall be the chairman, unless the committee direct otherwise. The majority of any committee shall constitute a quorum.

18. The several committees shall, in all cases, report whether other cases

comprised within the principal of the matter referred may arise; and if a bill be ordered, it shall provide for all such cases; and upon any matter referred, the committee shall have power to report by bill.

19. Select committees shall consist of not less than three nor more than nine Senators, unless the Senate direct otherwise.

20. The Committee of Privileges and Elections shall examine the oaths taken by each Senator and the certificate of election furnished by the proper officer, and report thereon to the Senate.

The Committee of Privileges and Elections shall report in all cases of privileges or contested elections the principles and reasons on which their resolutions are founded.

21. The Committee on Courts of Justice shall take into consideration such petitions and matters or things touching wrongs and remedies and judicial proceedings concerning the same as shall be presented or may come in question and be referred to them by the Senate, and report thereon, together with such propositions relative thereto as to them shall seem expedient.

22. To the Committee on General Laws shall be referred all resolutions and bills concerning the militia, private claims, propositions, and grievances, and other matters of a general nature not properly referable to any other standing committee.

23. The Committee on Roads and Internal Navigation shall take into consideration all such petitions and matters or things relating to highways, public roads, railways, canals, and waterways as shall be presented or may come in question and be referred to them by the Senate, and report thereon, together with such propositions relative thereto as to them shall seem expedient.

24. The Committee on Finance and Banks shall, at each session, examine into the indebtedness of the Commonwealth, the revenues and expenditures of the preceding year, and prepare an estimate of the expense of the succeeding year, and make such report thereon as they may deem proper, and shall also examine into the state and matter of administration of the literary fund, and make such report thereon as they may deem proper.

25. To the Committee on Public Institutions and Education shall be referred all bills and resolutions concerning education, the penitentiary, lunatic asylums, the institution for the deaf and dumb and blind, the armory and other public property at the seat of government. And it shall be the duty of the said committee to examine at each session into the condition of the penitentiary, and make such report thereon as they may deem proper. Neither said committee nor a sub-committee thereof shall visit any public institution outside the city of Richmond without leave of the Senate first authorized and obtained.

26. To the Committee on County, City, and Town Organization shall be referred all bills, resolutions, and petitions concerning the formation of any new county, or the organization of any city or town.

27. To the Committee on Agriculture, Mining, and Manufacturing, shall be referred all bills, resolutions, and petitions concerning agriculture, manufacturing, and mining, commerce, and the mechanic arts, and also all matters relating to the department of labor.

28. To the Committee on Fish and Game shall be referred all bills, resolutions, and petitions concerning the oyster industry of the State, surveys of the public waters of the State affecting said industry, and all matters relative to fish and game.

29. The committee to examine the Clerk's office shall see that all papers belonging thereto are properly filed, labelled, and put away in the presses, and that the books belonging to the office are chronologically arranged, and shall make an annual report thereof to the Senate.

30. The President of the Senate, the President *pro tempore*, and chairman of the Committee on Privileges and Elections shall constitute a standing Committee on Rules, to whom all resolutions amending or altering the rules of the Senate shall be referred; and said committee shall report such amendments to said rules as in their judgment are necessary and proper.

## VI.

## ORDER OF BUSINESS.

31. After reading the Journal, one hour, to be called the "morning hour," shall be devoted as follows:

I. To dispose of communications from the House of Delegates and the Executive.

II. To receive reports from standing committees (for which purpose they shall be called by the Clerk).

III. To receive reports from select committees.

IV. To receive resolutions, petitions, and bills, on leave.

32. At the expiration of the morning hour the Senate shall proceed to the consideration of the calendar, as follows:

I. The unfinished business of the preceding day.

II. Bills and resolutions in the order in which they stand on the calendar.

33. When a bill or resolution of the House of Delegates is passed or rejected by the Senate it shall remain under the control of the Senate for the space of two days, and the fact of the passage or rejection, with the bill or resolution, shall then be communicated to the House of Delegates, unless otherwise ordered.

34. All bills or other business originating in the Senate shall be dispatched in the order in which they are introduced, and all bills and resolutions sent from the House of Delegates shall be dispatched in the order in which they are sent, unless in either case the Senate direct otherwise.

35. No law shall be enacted except by bill. Every bill, upon its introduction, shall be referred to the appropriate committee, and no bill shall become a law until it has been—

First: Referred to a committee of the Senate, considered by such committee in session, and reported;

Second: Printed by the house in which it originated prior to its passage;

Third: Read at length on three different calendar days in each house; and,

Fourth: A yea and nay vote has been taken in each house upon its final passage, the names of the members voting for and against entered on the Journal, and a majority of those voting, which shall include at least two-fifths of the members elected to each house, has been recorded in the affirmative. ....

And only in the manner required in sub-division four of this section shall an amendment to a bill by the House of Delegates be concurred in by the Senate, or a conference report be adopted by the Senate, or a committee discharged from the consideration of a bill for the Senate to consider the same as if reported; provided that the printing and reading, or either, required in sub-divisions two and three of this section, may be dispensed with in a bill to codify the laws of the State, and in any case of emergency by a vote of four-fifths of the members voting, taken by the yeas and nays, the names of the members voting for and against entered on the Journal; and provided further, that no bill which creates or establishes a new office, or which creates, continues, or revives a debt or charge, or makes, continues, or revives any appropriation of public or trust money, or property, or releases, discharges, or commutes any claim or demand of the State, or which imposes, continues, or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to the Senate, the vote to be by the yeas and nays, and the names of the members voting for and against entered on the Journal. Every law imposing, continuing, or reviving a tax shall specifically state such tax, and no law shall be construed as so stating such tax where it requires a reference to any other law or any other tax. The presiding officer of the Senate shall, in the presence of the Senate, in open session, sign every bill that has been passed by both houses and duly enrolled. Immediately before this is done, all other business being suspended, the title of the bill shall be publicly read. The fact of signing shall be entered on the Journal. Before reference to a committee, any special, pri-

vate, or local bill shall be referred to and considered by the joint standing committee on special, private, and local legislation, and returned to the Senate with a statement in writing whether the object of the bill can be accomplished under general law or by court proceeding; whereupon the bill, with the accompanying statement, shall be referred to the appropriate committee of the Senate, and shall take the course provided by section fifty of the Constitution of Virginia. The joint committee may be discharged from the consideration of a bill by the Senate, when said bill originated in the Senate, in the manner provided in section fifty of the Constitution of Virginia for the discharge of other committees.

36. Bills and resolutions originating in the House of Delegates, and not requiring immediate action, shall be read at length the first time when received and referred to their appropriate committees, unless the Senate direct otherwise.

37. No bill reported from a committee of the Senate shall be recommitted or amended until it has been twice read, nor shall any bill be amended after its third reading, except by the unanimous consent of the Senate.

38. Joint resolutions originating in the Senate shall lie on the table one day at least, unless otherwise ordered.

39. The yeas and nays on any question shall, at the desire of five Senators, be entered on the Journal. After the yeas and nays shall have been taken, and before they are counted or entered on the Journal, the Clerk shall read over the names of those who voted in the affirmative and of those who voted in the negative, at which time any Senator shall have the right to correct any mistake committed in enrolling his name.

40. Upon the determination of a question, any Senator may enter his protest upon the Journal, with the consent of one-third of the Senators present; and on the question, "Shall the protest be entered on the Journal?" no privileged motion shall be in order except to adjourn.

41. Whenever the Senate proceeds to consider any nominations of the Governor which are subject to the choice or ratification of the Senate, the same shall be considered in executive session, with closed doors, and the proceedings thereon shall be in secret, unless the injunction of secrecy be removed by a vote of the Senate.

42. A motion to take from the table shall not be in order unless the bill, resolution or other matter proposed to be taken up would be appropriate for consideration under the order of business then in hand, as prescribed by rules thirty-one and thirty-two.

## VII.

### ORDER AND DECORUM.

43. While the President is reporting or putting any question, or the Clerk is reporting a bill or calling the roll, or a Senator is addressing the Chair, strict order shall be observed.

44. If words be spoken in debate that give offense, exception thereto shall be taken the same day, and be stated in writing; and in such case, if the words be decided by the President or by the Senate, upon an appeal, to be offensive, and they be not explained or retracted by the Senator who uttered them, he shall be subject to such action as the Senate may deem necessary.

## VIII.

### ASCERTAINING THE QUESTION.

45. A motion for a second reading, and a motion for committing the bill, may be submitted at the same time; but the question upon these motions shall be put separately, if required by any Senator.

46. Any Senator may call for a division of the question, which shall be divided if it comprehend propositions so distinct in substance that, one being taken away, a substantive proposition shall remain for the decision of the Senate; and a motion to strike out, being lost, shall preclude neither amendment nor a motion to insert, nor a motion to strike out and insert.

47. When a question is pending, no motion shall be received but to adjourn, to pass by, for the pending question, for the previous question, to lie on the table, to postpone indefinitely, to adjourn the question to a different day, to commit or amend; which several motions shall have precedence in the order in which they are arranged.

## IX.

### THE PENDING AND PREVIOUS QUESTIONS.

48. Upon a motion for the pending question, seconded by a majority of the Senators present, indicated by a rising or by a recorded vote, the President shall immediately put the pending question; and all incidental questions of order arising after a motion for the pending question is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

49. Upon a motion for the previous question, seconded by a majority of the Senators present, indicated by a rising or by a recorded vote, the President shall immediately put the question, first upon amendments in the order prescribed in the rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion had not been made.

## X.

### TAKING THE VOTE.

50. Every Senator present, when any question is put or vote taken, shall vote or be counted as voting on one side or the other; but no Senator shall vote on a question in the event he is immediately or personally interested.

51. Every question shall be first put in the affirmative, and then in the negative, and the President shall declare whether the yeas or nays have it; which declaration shall stand as the judgment of the Senate, unless a Senator call for a division, in which event the President shall divide the Senate.

52. When the yeas and nays are ordered, or a call of the Senate is directed, the names of the Senators shall be called in alphabetical order.

53. No Senator shall be allowed to vote unless he be present within the chamber at the time the Senate is being divided, or before a determination of the question upon a call of the roll.

## XI.

### DEBATE.

54. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, and without advancing, with due respect, address "MR. PRESIDENT," confining himself strictly to the point in debate, and avoiding all disrespectful language.

55. No member shall speak more than twice on the same subject, without leave of the Senate; nor more than once until every member choosing to speak shall have spoken.

56. No question shall be debated until it has been propounded by the

President, and then the mover shall have a right to explain his views in preference to any Senator.

57. When the President is putting a question, any Senator who has not spoken before to the matter may speak to the question before the negative is put.

58. During any debate, any Senator, though he has spoken to the matter, may rise and speak to the orders of the Senate if they be transgressed, in case the President do not; but if the President stand up at any time, he is first to be heard, and while he is up Senators must keep their seats.

59. No Senator shall be allowed to be interrupted while speaking, except on points of order, to correct erroneous statements, or to answer any questions that may be propounded by the Senator speaking.

60. Motions to adjourn; lay on the table; for the pending question; for the previous question; to suspend the rules; to take from the table; to take up orders of the day; to close debate; to limit debate; to extend limit of debate; to read papers; to reconsider questions not debatable, shall not be debated; but upon a motion to suspend a rule, or to take from the table; to lay on the table, or to take up orders of the day, the mover shall be allowed five minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object. And when a question not debatable is before the Senate, all incidental questions arising after it is stated shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to all incidental questions arising after any question is put to the house.

## XII.

### RECONSIDERATION.

61. A question being once determined must stand as the judgment of the Senate, and cannot during the same session be drawn again into debate. No motion to reconsider a question which has been decided, shall be entertained, unless it be made by a Senator voting with the prevailing side, nor unless made on the same day on which the vote was taken or within the two next days of actual session of the Senate thereafter; provided, however, when any question is decided in the negative simply for the want of a majority of the whole Senate, any Senator who was absent from the city of Richmond or detained from his seat by sickness at the time of the vote sought to be reconsidered, may move its reconsideration.

## XIII.

### PETITIONS.

62. No petition of a private nature, having been once rejected, shall be acted on a second time, unless it be supported by new evidence; nor shall any such petition, after a third disallowance, be again acted on. The several clerks of committees shall keep alphabetical lists of all such petitions, specifying the session at which they were presented and the determination of the Senate thereon, and shall deliver the original petition to the Clerk of the Senate, to be preserved in his office.

63. No petition shall be received claiming a sum of money or praying the settlement of unliquidated accounts, unless it be accompanied with the certificate of disallowance from the Executive or Auditor, containing the reason why it was rejected.

64. When any such petition, or bill founded on one, is rejected, such petition shall not be withdrawn; but the petitioner, or Senator presenting his petition, or any senator from the county or corporation in which the petitioner resides, may, without leave, withdraw any document filed therewith;

and a list of all documents so withdrawn shall be preserved by the Clerk. All petitions not finally acted on may, with the accompanying documents, be in like manner withdrawn after the expiration of the session at which they were presented.

65. No petition shall be read in the Senate unless particularly requested by some Senator; but every Senator presenting one shall announce the name of the petitioner, nature of the application, and whether, in his opinion, a similar application had been before made by said petitioner. He shall also endorse on the back of the petition his own name as a pledge that it is drawn in respectful language; whereupon it shall be delivered to the Clerk, by whom it shall be laid before the proper committee.

#### XIV.

66. Any rule of the Senate may, except where otherwise provided by the Constitution of the State of Virginia, be suspended by a vote of two-thirds of the members elect.

#### XV.

##### CONSTRUCTION OF RULES.

67. In the construction of the foregoing rules, reference shall first be had to Jefferson's Manual and the Digest of the Rules of the Congress of the United States.

The PRESIDENT announced that the next business in order was the election of officers of the Senate.

Mr. BARKSDALE nominated as President *pro tempore* of the Senate HENRY T. WICKHAM.

There being no further nomination, the roll was called, with the following result:

For Henry T. Wickham - - - - 36

The Senators who voted for H. T. WICKHAM are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, and Wallace—36.

Mr. WICKHAM, having received all the votes cast, was declared duly elected President *pro tempore* of the Senate.

The next business in order being the election of Clerk of the Senate, Mr. McILWAINE nominated for that office Joseph Button, of Appomattox county.

There being no further nomination, the roll was called, with the following result:

For Joseph Button - - - - 37

The Senators who voted for JOSEPH BUTTON are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—37.

Joseph Button, having received all the votes cast, was declared duly elected Clerk of the Senate for the ensuing term.

The next business in order being the election of the Sergeant-at-Arms of the Senate, Mr. PATTESON nominated for that office F. B. Watkins, of Charlotte county.

There being no further nomination, the roll was called, with the following result:

For F. B. Watkins - - - - - 37

The Senators who voted for B. F. WATKINS are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—37.

F. B. Watkins, having received all of the votes cast, was declared duly elected Sergeant-at-Arms of the Senate for the ensuing term.

The Senate then proceeded to the election of a Doorkeeper.

Mr. OPIE nominated Samuel M. Donald, of Augusta county, for that office.

There being no further nomination, the roll was called, with the following result:

For Samuel M. Donald - - - - - 37

The Senators who voted for S. M. DONALD are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—37.

Samuel M. Donald, having received all of the votes cast, was declared duly elected Doorkeeper of the Senate for the ensuing term.

On motion of Mr. SHANDS:

Resolved, That Jos. W. Parkinson, Hugh M. Seay, Frank Burton, and Marshall Brownley be elected pages of the Senate.

Which was agreed to.

On motion of Mr. WICKHAM:

Ordered, That he inform the House of Delegates that the Senate is organized and ready to proceed to business.



A message was received from the House of Delegates by Mr. WALLACE, who informed the Senate that that House was organized and ready to proceed to business

A message was received from the House of Delegates by Mr. LEE, who informed the Senate that that House had passed the following joint resolution:

Resolved by the House of Delegates (the Senate concurring), That a joint committee of five members on the part of the House and three on the part of the Senate be appointed to wait on the Governor and to inform him that the General Assembly is organized and ready for business, and to enquire if he has any communication to make.

Which was agreed to.

Mr. SEARS was ordered to inform the House of Delegates thereof.

The PRESIDENT appointed Messrs. SEARS, CHAPMAN, and J. N. HARMAN as a committee on the part of the Senate.

Subsequently the committee, through its chairman, Mr. SEARS, reported that they had performed the duty assigned them, and the Governor would forthwith communicate in writing.

The following communication was received from the Governor by his Secretary, which, on motion of Mr. WICKHAM, was read and 250 copies ordered to be printed:

## COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

RICHMOND, VA., *January 13, 1904.*

### *To the General Assembly:*

The time intervening since the adjournment of the last Legislature has been so short as to prevent the complete publication of its acts, and I beg to share your regret that these statutes, an accurate knowledge of which is so essential to the progress of your deliberations, are unavailable for immediate consideration.

It may be affirmed of peoples as of individuals that they must either advance or recede. The law of change has given to us a new Constitution, which necessitates some new administrative features in our government. These changes should be met by such legislative action as the provisions of the Constitution may prescribe, and I respectfully urge such legislation as of first importance.

A social system lacking in adaptation to the inexorable tide of progress means either the decay or the death of that system; while, on the other hand, the capacity of the people and their officials to meet new conditions, to appreciate a new polity, and to perfect the administration of laws in conformity thereto, demonstrates their civic virility and power of growth. Happily, our people have here-

tofore exhibited a genius for such adaptation, and a firm faith in this capacity does not now seem a misplaced confidence.

The new Constitution saliently declares for: (1) a new electorate, imposing honest elections and an honest discharge of public duties; (2) simplification and unification in the administration of justice; (3) new sources of taxation with a more just distribution of its burdens, together with the regulation of semi-public agencies; (4) and a broader base for free public education.

The foundation of republican government consists in the virtue and intelligence of its electorate. Either dishonesty or ignorance is fatal to free institutions. But laws of themselves, however strongly declaratory of pure elections, are of little avail if unsupported by public sentiment. Oaths of obedience to statutes are often made by unprincipled men to acquire security or vantage ground for violations of law. Therefore, it behooves the people to keep vigilant watch for infractions of election laws, and to extend support to those who observe them in letter and in spirit.

A democratic form of government plainly demands the direct voice of the people in the selection of all legislative and chief executive officials. Such direct expression of popular will now exists save in the election of Federal Senators and the President. The denial of this privilege in the choice of the latter has been practically revoked by party usage, for the people now as truly vote for the President as the electoral college which constitutionally elects. As respects Senators in Congress an adequate remedy is afforded in some of the States by the primary system. No objection obtains against a primary which does not also obtain against a regular election. A primary should determine the will of the majority of a party's constituents. In other words, the expression of the majority should control in nominations by parties just as the majority of electors control in a general election. But an election of representatives or delegates by counties or cities to legislatures, conventions and similar bodies, which bodies, in turn, elect or nominate, is an evasion of the primary plan, and thus the minority is often enabled to override the majority—a result so indefensible in republican government. I, therefore, recommend a general primary law, analogous to the principles and methods of general elections, operative upon the sanction of party authorities, thereby permitting the people to have a direct voice in party nominations or elections.

The new judicial system is not yet operative, but in the interest of the general administration of justice I beg to recommend some provision whereby the Attorney-General may have periodical reports from each Commonwealth's Attorney, giving the style of every cause, civil or criminal, wherein the Commonwealth is a party, together with the disposition of each case; if continued, the reasons therefor,

and if concluded, the judgment therein. This system wherever tried has been productive of great benefits. By this means the people, who should be acquainted with the administration of all the departments of government, would be enabled to know with what expedition the laws are enforced, and in what proportion crimes exist. The increased labor thus entailed upon the prosecuting officers would readily be borne for the public good; and the additional work of the Attorney-General, incident to the transmission of blank reports and the tabulation of replies, could be met by additional clerical aid.

The new sources of our taxation distinctly contribute to the adjustment of the burdens of government. The increased revenue derived from corporate property is very gratifying. The equalizing of taxation has become an almost insuperable difficulty; but it may be affirmed that if all people and interests share equally the burdens of government our tax rate could be greatly reduced. As an indication of the benefits of the new system it should be observed that though as yet but partially tested, and at a reduced rate, our present revenue from assessments made by the Corporation Commission alone will exceed that of last year by about four hundred and thirty-eight thousand dollars. Our income, in round numbers, will approximate four millions of dollars per annum, thus demonstrating the ability of the Commonwealth to meet every obligation, and to provide for improved administration in many departments. Yet at no time should the Legislature more determinedly practice economy than when a full treasury tempts expenditure.

While taxation is a source of unending controversies in government, it must be conceded that the lower the rate, consistent with efficient administration, the less the burdens of the people. Therefore, it is needful that the State expeditiously proceed in the enlargement of the sinking fund. Every bond purchased saves interest and thereby an equivalent expenditure. State bonds to the amount of \$1,111,500 are now impounded in this fund. These bonds cannot be cancelled because there is no authority therefor. I would therefore suggest the enactment of a provision for the cancellation of all present and future holdings until they are reduced to a balance not exceeding \$300,000 at any one time. This latter sum is an ample reserve for sale or hypothecation if public exigencies so require; a larger sum invites extravagance.

The Constitution provides that "no money shall be paid out of the State treasury except in pursuance of appropriations made by law; and no such appropriation shall be made which is payable more than two years after the end of the session of the General Assembly at which the law is enacted authorizing the same"; and this provision brings us face to face with a danger pointed out in my last message. The appropriation act expired on September 30th last, and from that date to this hour the disbursements for the support of the govern-

ment have been in plain violation of law. The government should not thus be forced to exist by methods so unnecessary and illegal, and I am therefore constrained to repeat my former recommendation for a change of date of the term for which appropriations should commence, thus affording a remedy at once simple and complete.

The condition of our public free schools gives some encouragement. The increased interest taken by the people during the past two years in the free schools is a decided step toward the solution of our educational problem. The consolidation of schools for the past year adds to the length of the school term and increases the pay of the teachers. The children of the Commonwealth should have a session of nine months, and the maximum tax rate allowed by the Constitution should be enacted.

My former recommendations respecting industrial and manual training are renewed. This is an age of machinery. Our water-power, fuel and minerals should ensure to the State a larger share in manufacturing enterprises. Agricultural competition will surely grow keener, and it is of supreme moment that our farmers should possess every advantage derived from scientific knowledge of the soil and its cultivation. Therefore, our people should be educated for the skillful pursuit of manufacturing and farming.

The State Library was the culmination of Mr. Jefferson's scheme of education. It now contains about seventy thousand volumes, of which many hundred have lain with uncut pages. The library should at once be put in proper physical condition. Electric lights are badly needed, and an appropriation of not less than three hundred dollars for this purpose should immediately be made.

The excellent work done by the new library board and its efficient librarian is a source of gratification to all interested in the success of the library. Under the statute the books cannot be used save in the city of Richmond. This should be changed. Every city, county and town should have access to these invaluable books. The library should be a substantial and diffusive educational force, and to this end I urge the adoption of what is known as "travelling libraries," which could be perfected by an expenditure of about four thousand dollars. This is of great moment to our people, and I invoke your earnest consideration of the inauguration of so beneficial a system.

The establishment of an institution for the colored deaf, dumb and blind is an urgent need. These unfortunate and incompetent members of the body politic appeal to the traditions and humanity of the Commonwealth. The cost of such an institution would not be great, and a realization of the discharge of our duty would be an ample recompense.

The new provisions of the Constitution, and laws made in conformity thereto, must greatly promote the efficiency of our institutions for the insane. These laws provide for uniformity, energy and

efficiency in administration, and to this end I earnestly request your perusal of the report and recommendations of the Commissioner of Hospitals.

The institution of a board of charities and corrections, with powers similar to like boards of many other States, is most earnestly recommended. The cost would be insignificant, and to have the enlightened co-operation of a body of this character would be a powerful impetus in promoting the humane and scientific administration of our hospitals. The civilization of a people can hardly be better gauged than by the method and treatment of the insane. As Virginia was the first State in the world to treat insanity as a disease, she should not be among the last to adopt the most enlightened methods.

I renew my recommendation for the improvement of the Capitol, together with the suggestion that wings be added to the present building in accordance with plans which have been submitted. Many of the departments are greatly in need of more space. These wings would give us two appropriate legislative halls, together with storage-rooms for papers and documents, while the present building could be thoroughly repaired and beautified, and utilized for executive and administrative offices, committee rooms, the Corporation Commission, the Supreme Court of Appeals, the law library, and other uses. The Supreme Court would thus secure needed room, and at the same time would yield its apartments for the use of the State Library, or for other essential purposes.

The recommendation made in my last message for the reorganization of our Treasury Department by making the first auditor an officer of audits and receipts only, and by transferring to the second auditor the duty of disbursements, thereby providing that these two officers, together with the treasurer, be a check one upon the other, is renewed. Modern business methods as well as the interests of the State require this change, which could be effected with no additional expense. The present system is wholly antiquated, unbusiness-like and unsafe, and this observation is in nowise intended as a criticism of the officials of the departments.

Our indifferent public highways are a hindrance to the growth of our rural population and a bar to immigration. The energies of our people were long devoted to the construction of railroads, which were thought to take the place of common roads. This, however, is a disastrous mistake. A systematic construction and maintenance of public roads should be begun in this State as early as practicable. Our increased revenue can afford appropriations for the inauguration of such a system, which will bring untold material and social benefits to the State. The length of this paper forbids other than the expression of an earnest wish that you will consider my former message upon this topic. This is a matter of supreme moment to our

people, and should be promoted by your body, which is the only agency of the State authorized to give the needed relief.

It is very desirable that the State should have a complete roster of all her soldiers and officers who participated in the war between the States. The Federal Government has made an appropriation to this end and invites our co-operation; but after careful consideration of the Federal statute and the regulations of the War Department for its administration, I am persuaded that a proper compilation cannot be perfected unless the State provides the means and the person to co-operate with the department at Washington.

For the details of the operation of the several departments and agencies of government, your consideration is directed to the reports required by law to be made to the Executive.

A. J. MONTAGUE.

Mr. WALKER presented the following joint resolution:

Resolved by the Senate (the House of Delegates concurring), That the Board of Fisheries, acting with the assistance and co-operation of the Governor, be and they are hereby requested to ascertain and report to the General Assembly what assistance, expert or otherwise, may be obtained from the Government of the United States in the making of a resurvey of the natural rocks, beds and shoals in the waters of the Commonwealth, and also to ascertain as nearly as may be what would be the probable cost of the making and plotting in such survey, as well as the probable expense of marking the limits and boundaries of the public oyster grounds of the State with suitable buoys.

Mr. BYARS, by leave, presented

No. 1, A bill to prescribe the duties of the judges of circuit and corporation courts, and to fix the compensation of attorneys for the Commonwealth, relative to violations of the law prohibiting the sale of adulterated and unbranded foods.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. CHAPMAN presented the following resolution:

Resolved, That the Clerk of the Senate be, and he is hereby, directed to have prepared and distributed daily among the Senators, before the morning hour, printed copies of the calendar.

Which was agreed to.

The PRESIDENT laid before the Senate the following communication:

OFFICE OF CLERK OF THE HOUSE OF DELEGATES,  
RICHMOND, January 13, 1904.

To the General Assembly:

I respectfully submit a condensed abstract of reports of the clerks of

courts, which are required to be made to the Clerk of the House of Delegates by section 3189 of the Code of Virginia.

The reports herein embraced are for the years ending August 31, 1902 and 1903.

Respectfully,

JNO. W. WILLIAMS,  
*Clerk of the House of Delegates.*

The abstract is printed in House Document No. 1.

Mr. PATTESON presented a petition from certain citizens of Buckingham, requesting the repeal of the law taxing dogs, which was read and referred to the Committee on Agriculture, Mining and Manufacturing.

The Clerk of the Senate announced the appointment of Wm. Wilson as Document Clerk and Librarian of the Senate.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.

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#### THURSDAY, JANUARY 14, 1904.

Lieutenant-Governor Jos. E. WILLARD in the chair.

Prayer by Rev. W. W. Brander.

Journal of yesterday read by the Clerk.

Mr. KEEZELL, by leave, presented

No. 2, A bill to amend and re-enact section 50 of an act entitled an act to raise revenue for the support of the government and public free schools and to pay the interest on the public debt and to provide a special tax for pensions as authorized by section 189 of the Constitution, approved April 16, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOLT, by leave, presented

No. 3, A bill to amend and re-enact an act approved December 3, 1903, entitled an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories; approved February 3, 1900, as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories, approved March 15, 1902, and as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved April 2, 1902.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. CHAPMAN, by leave, presented

No. 4, A bill to amend and re-enact an act entitled an act to prescribe the mode in which clerks of courts shall keep a record of all taxes and other public moneys collected by them and to require them to pay the same into the public treasury, approved March 3, 1898.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. ANDERSON, by leave, presented

No. 5, A bill to amend and re-enact an act entitled an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories," approved February 3, 1900, as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved March 15, 1902, and as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved April 2, 1902, as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, in relation to the State depositories," approved December 3, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks

Mr. ANDERSON, by leave, presented

No. 6, A bill to provide for the extension of the corporate limits of cities and towns. ✓

On his motion, the bill being partially read, it was referred to the Committee on Counties, Cities and Towns.

Mr. ANDERSON, by leave, presented

No. 7, A bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and to repeal so much of an act approved April 2, 1902, as appropriates the sum of \$100,000, or so much thereof as is necessary, for restoring and repairing the State Capitol building, interior and exterior, and as provides for the supervision of the expenditure thereof.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

A message was received from the House of Delegates by Mr. CARON, who informed the Senate that that House had passed the following joint resolution:

Resolved by the House of Delegates (the Senate concurring), That the General Assembly proceed this day at 12:30 o'clock P. M. to the election of Auditor of Public Accounts, Second Auditor, and



Superintendent of Public Printing, and that in the execution of the joint order nominations shall be made for the whole number in the order in which they appear above; and then each house shall be notified of said nominations; then the roll shall be called for the election of one of the officers in the order named, and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint a committee of three, which together shall constitute a joint committee to count the joint vote in each case and report the result to their respective houses.

Which was agreed to, and Mr. MASSIE was ordered to inform the House of Delegates thereof.

The hour of 12:30 o'clock having arrived, a message was received from the House of Delegates by Mr. CATON, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day, which has for its object the election of certain State officers.

Mr. FORD was ordered to inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order of the day, which has for its object the election of certain State officers.

For Auditor of Public Accounts, Mr. MACHEN nominated Morton Marye, of Alexandria city.

For Second Auditor, Mr. SEARS nominated John G. Dew, of King and Queen county.

For Superintendent of Public Printing, Mr. ANDERSON nominated J. H. O'Bannon, of Henrico county.

There being no additional nominations, Mr. MACHEN was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. LION, who informed the Senate that there were no additional nominations in that House.

The roll was called, with the following result:

For Morton Marye        -        -        -        -        -        33

The Senators who voted for MORTON MARYE are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

For John G. Dew        -        -        -        -        -        33

The Senators who voted for JOHN G. DEW are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel,

Opie Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

For James H. O'Bannon - - - - 33

The Senators who voted for J. H. O'BANNON are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

The PRESIDENT appointed Messrs. MASSIE, RISON, and FULTON as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint votes, who, through their chairman, reported:

For Auditor of Public Accounts—

Whole number of votes cast	-	-	-	114
Necessary to a choice	-	-	-	58
Of which Morton Marye received	-	-	-	114

Morton Marye having received all of the votes cast, was declared duly elected Auditor of Public Accounts for the legal term of that office.

For Second Auditor—

Whole number of votes cast	-	-	-	111
Necessary to a choice	-	-	-	56
Of which John G. Dew received	-	-	-	111

John G. Dew having received all the votes cast, was declared duly elected Second Auditor for the legal term of that office.

For Superintendent of Public Printing—

Whole number of votes cast	-	-	-	116
Necessary to a choice	-	-	-	59
Of which James H. O'Bannon received	-	-	-	116

James H. O'Bannon having received all the votes cast, was declared duly elected Superintendent of Public Printing for the legal term of that office.

Senate joint resolution:

Resolved by the Senate (the House of Delegates concurring), That the Board of Fisheries, acting with the assistance and co-opera-

Superintendent of Public Printing, and that in the execution of the joint order nominations shall be made for the whole number in the order in which they appear above; and then each house shall be notified of said nominations; then the roll shall be called for the election of one of the officers in the order named, and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint a committee of three, which together shall constitute a joint committee to count the joint vote in each case and report the result to their respective houses.

Which was agreed to, and Mr. MASSIE was ordered to inform the House of Delegates thereof.

The hour of 12:30 o'clock having arrived, a message was received from the House of Delegates by Mr. CATON, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day, which has for its object the election of certain State officers.

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There being no additional nominations, Mr. MACHEN was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. LION, who informed the Senate that there were no additional nominations in that House.

The roll was called, with the following result:

For Morton Marye       -       -       -       -       -       33

The Senators who voted for MORTON MARYE are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opié, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

For John G. Dew       -       -       -       -       -       33

The Senators who voted for JOHN G. DEW are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel,

Oyle Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

For James H. O'Bannon - - - - 33

The Senators who voted for J. H. O'BANNON are—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Oyle, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

The PRESIDENT appointed Messrs. MASSIE, RISON, and FULTON as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint votes, who, through their chairman, reported:

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Necessary to a choice	-	-	-	56
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John G. Dew having received all the votes cast, was declared duly elected Second Auditor for the legal term of that office.

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Whole number of votes cast	-	-	-	116
Necessary to a choice	-	-	-	59
Of which James H. O'Bannon received	-	-	-	116

James H. O'Bannon having received all the votes cast, was declared duly elected Superintendent of Public Printing for the legal term of that office.

Senate joint resolution:

Resolved by the Senate (the House of Delegates concurring), That the Board of Fisheries, acting with the assistance and co-opera-

tion of the Governor, be and they are hereby requested to ascertain and report to the present General Assembly what assistance, expert or otherwise, may be obtained from the Government of the United States in the making of a resurvey of the natural rocks, beds and shoals in the waters of the Commonwealth, and also to ascertain as nearly as may be what would be the probable cost of the making and plotting in such survey, as well as the probable expense of marking the limits and boundaries of the public oyster grounds of the State with suitable buoys.

Was taken up.

Mr. ANDERSON moved that the resolution be laid on the table, which was agreed to by the following vote—yeas, 15; nays, 13.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, A. C. Harman, Keezell, Massie, Patteson, Rison, Sadler, Sale, Tavenner, and Wickham—15.

NAYS—Messrs. Campbell, Greear, Gunter, J. N. Harman, Holt, Machen, Noel, Phlegar, Sears, St. Clair, Turner, Walker, and Wallace—13.

A message was received from the Governor by his Secretary, as follows:

RICHMOND, VA., *January 13, 1904.*

HON. A. J. MONTAGUE,

*Governor:*

DEAR SIR,—Having been elected to the Senate of Virginia, I hereby respectfully tender my resignation as judge of the County Court of Shenandoah county.

The last term of the County Court of Shenandoah, under the new Constitution, was closed yesterday.

F. S. TAVENNER.

(A copy.)

RICHMOND, VA., *January 14, 1904.*

*To the General Assembly:*

I beg to transmit herewith the resignation of Hon. S. F. Tavenner as judge of the County Court of Shenandoah county.

A. J. MONTAGUE.

Mr. McILWAINE moved to amend Senate Rule No. 16, section 1, by striking out "ten" and inserting "eleven," which was agreed to.

On motion of Mr. McILWAINE, the following resolution was adopted:

Resolved, That the following Senators be elected to constitute the standing committees of the Senate for the present session :

The Steering Committee of the Caucus of the Democratic members of the Virginia Senate reports :

1. The Committee of Privileges and Elections, which is now composed of ten members, should be increased by the addition of one more member.

2. Your committee recommends the following for the standing committees of the Senate :

*Privileges and Elections.*—Messrs. Mann, Barksdale, Wallace, Shackelford, Sale, St. Clair, Anderson, Rison, Tavenner, Holt, and Greear.

*Courts of Justice.*—Messrs. McIlwaine, Opie, Mann, Walker, Bryant, Sears, Byars, Phlegar, Rison, Fulton, Patteson, Machen, and J. N. Harman.

*General Laws.*—Messrs. Barksdale, Massie, Shands, Sale, Cromwell, Garrett, Hobbs, Gunter, Campbell, Tavenner, Sadler, Revercomb, and Noel.

*Roads and Internal Navigation.*—Messrs. Massie, Wickham, McIlwaine, Barksdale, Shands, St. Clair, Cromwell, Hutcheson, Campbell, A. C. Harman, Sadler, Machen, Thomas, Greear, and Noel.

*Finance and Banks.*—Messrs. Wickham, Keezell, Massie, Anderson, Chapman, Garrett, St. Clair, Shackelford, Sale, Mann, Barksdale, Phlegar, and Holt.

*Public Institutions and Education.*—Messrs. Keezell, Opie, Byars, Chapman, Hobbs, Sears, Bryant, Ford, Gunter, Campbell, McIlwaine, Sale, Phlegar, Thomas, and Rison.

*County, City, and Town Organization.*—Messrs. Opie, Wallace, Walker, Chapman, Hobbs, Anderson, Patteson, Tavenner, Machen, Sadler, and Turner.

*Agricultural, Mining, and Manufacturing.*—Messrs. Wallace, Hutcheson, Ford, Byars, Garrett, Gunter, Shackelford, Thomas, J. N. Harman, and Revercomb.

*Fish and Game.*—Messrs. Walker, Keezell, Shands, Sears, Bryant, Hutcheson, Cromwell, Gunter, Massie, Fulton, and A. C. Harman.

*Enrolled Bills.*—Messrs. Shands, Sears, Ford, Garrett, Cromwell, Thomas, A. C. Harman, Revercomb, and Greear.

*To Examine Clerk's Office of Senate.*—Messrs. Chapman, Keezell, and Campbell.

*Rules.*—President of the Senate, President of the Senate *pro tem*, and Chairman of Committee of Privileges and Elections.

*Executive Expenditures.*—Messrs. Hutcheson, Wallace, and Sadler.

*Library.*—Messrs. Anderson, Shackelford, and Walker.

*To Examine the Office of Auditor of Public Accounts.*—Messrs. Byars, Patteson, and A. C. Harman.

*To Examine Second Auditor's Office.*—Messrs. Sears, Rison, and J. N. Harman.

*To Examine Office of Register of Land Office.*—Messrs. Cromwell, Ford, and Turner.

*To Examine Treasurer's Office.*—Messrs. St. Clair, Wickham, and Holt.

*To Examine Bonds of Public Officers.*—Messrs. Garrett, Opie, and Noell.

*Printing.*—Messrs. Hobbs, A. C. Harman, and Machen.

*Joint Committee on Special, Private, and Local Legislation.*—Messrs. Bryant, Walker, Mann, Phlegar, and Fulton.

On motion of Mr. BARKSDALE, five days' leave of absence was granted Mr. TAVENNER, beginning on Monday next.

On motion of Mr. SALE, indefinite leave of absence was granted Mr. CROMWELL.

Mr. ST. CLAIRE moved that when the Senate adjourns to-day, that it adjourn to meet at 12 o'clock on Monday next.

On motion of Mr. MASSIE, the Senate adjourned until Monday, January 18, 1904, at 12 o'clock.

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### MONDAY, JANUARY 18, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. Dr. F. T. McFaden.

Journal of Thursday read by the Clerk.

Mr. BYARS, by leave, presented

No. 8, A bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Local and Private Legislation.

Mr. BARKSDALE, by leave, presented

No. 9, A bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. BYARS, by leave, presented

No. 10, A bill to amend and re-enact section 136 of an act entitled an act to raise revenue for support of the government and public free schools and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. ANDERSON, by leave, presented

No. 11, A bill to provide for insuring the public buildings and other property of the Commonwealth against loss or destruction by fire or any other agency by the Commonwealth itself; to appropriate, designate and set apart a fund therefor and to direct that all existing policies of insurance on such property and buildings be allowed to lapse, except in certain cases.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. PHLEGAR, by leave, presented

No. 12, A bill to authorize the district school board of Blacksburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blacksburg, and to provide for the payment thereof.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Local and Private Legislation.

Mr. ANDERSON presented the following resolution:

Resolved by the Senate, That the Secretary of the Commonwealth be and he is hereby requested to ascertain and report to the Senate, first, what policies of insurance are now carried on the Capitol, the State Library, the Penitentiary, the colleges and hospitals, and other public buildings owned by the Commonwealth or on the contents of all or any of them; second, what the annual premiums on each such policy amounts to; third, the amount of the existing policy and the amount of the policy that, in the opinion of the commissioner, board or officer charged with the care of such property, ought to be carried in order to afford the Commonwealth reasonable security against the loss or destruction of such buildings or property.

Which was agreed to.

A message was received from the House of Delegates by Mr. GRAY, who informed the Senate that that House had passed the following joint resolution:

Resolved by the House of Delegates (the Senate concurring), That the General Assembly proceed this day, at 12:15 P. M., to the election of a judge of the County Court of Goochland county, to fill the vacancy occasioned by the resignation of Judge A. X. Monteiro.



On motion of Mr. PATTESON, the resolution was agreed to, and he was ordered to inform the House of Delegates thereof.

The hour of 12:15 o'clock P. M. having arrived, a message was received from the House of Delegates by Mr. GRAY, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day, which has for its object the election of a county judge for Goochland county.

On motion of Mr. HOBBS, he was ordered to inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order of the day.

Mr. SADLER nominated D. H. Leake for judge of the County Court of Goochland county, and he was ordered to inform the House of Delegates that the only name before the Senate for judge of the County Court of Goochland county was that of D. H. Leake.

A message was received from the House of Delegates by Mr. GRAY, who informed the Senate that the only name before that House was that of D. H. Leake.

The roll was called, with the following result:

For D. H. Leake	-	-	-	-	-	23
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The Senators who voted for D. H. LEAKE are—Messrs. Anderson, Barksdale, Bryant, Byars, Ford, Fukton, Garrett, A. C. Harman, Hobbs, Holt, Machen, Mann, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Sadler, Turner, Walker, Wallace, and Wickham—23.

The PRESIDENT appointed Messrs. BYARS and A. C. HARMAN as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates, and count the joint vote, who, through their chairman, reported:

For Judge of the County Court of Goochland county—

Whole number of votes cast	-	-	-	101
Necessary to a choice	-	-	-	51
Of which D. H. Leake received	-	-	-	101

D. H. Leake, having received all of the votes cast, was declared duly elected judge of the County Court of Goochland county for the unexpired term of A. X. Monteiro, resigned.

A message was received from the Governor, by his Secretary, as follows:

## COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE.

RICHMOND, VA., January 14, 1904.

*To the General Assembly:*

I hereby appoint, subject to your confirmation in joint session, Beverly T. Crump, Esq., of the city of Richmond, a member of the State Corporation Commission, for the term beginning the 1st day of February, 1904.

A. J. MONTAGUE.

Mr. WICKHAM, by leave, presented

No. 13, A bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. FULTON, by leave, presented

No. 14, A bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR presented the following communication:

## STATE LAW LIBRARY,

RICHMOND, VA., November 19, 1903.

*To the Honorable President and Judges of the Supreme Court of Appeals:*

The Librarian feels constrained, by the responsibility of his position and a sense of public duty, to make the following representation to your Honorable Court.

The conditions of the library are simply deplorable.

1. There is great lack of room for the books, and, as there is no room for additional shelving, many books have to be kept on the floor, and thus impede access to those that are shelved.

2. The system of heating is destructive to the building, and greatly increases the annual expense of keeping the books in condition for use.

3. During the warmer months, the skylights operating like a sun-glass, make the reading room so hot during nearly all the working hours as to render it practically unendurable.

4. Often, during the sessions of the court, there is not room for the bar to use the library, without excessive crowding, to their great inconvenience and discomfort.

5. Books can only be put in the hands of the court by means of a "dum-waiter," which is cumbersome and slow.

6. It is practically impossible to improve existing conditions while the library is continued in its present quarters.

7. It is, therefore, with all deference, respectfully suggested to the court, unless their wisdom shall advise a better plan, that it call the attention of the General Assembly to existing conditions and urge upon that body the immediate necessity of assigning other and more commodious rooms to the library, where the books can be properly shelved and preserved, and where both bench and bar may consult them with some convenience and comfort.

Attention is respectfully called to the act approved March 3, 1892, wherein

the purposes and objects of the library building are declared, and to the joint resolution passed at the session of 1895-6. See House Journal, pages 620-621.

All of which is respectfully submitted, and as in duty bound, &c.

W. W. SCOTT,  
*State Librarian.*

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The enclosed communication from Mr. W. W. Scott is approved and respectfully forwarded to the committees of the General Assembly for their consideration.

JAMES KEITH,  
*President Supreme Court of Appeals.*

Which was read and referred to the Committee on Library.

Mr. McILWAINE moved that when the Senate adjourns to-day it adjourn to meet on Wednesday next.

Which was agreed to.

On motion of Mr. BYARS, the Senate adjourned until Wednesday next at 12 o'clock.

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### WEDNESDAY, JANUARY 20, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. F. T. McFaden.

Journal of Monday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, January 19, 1904.*

They have agreed to joint resolution for appointment of Joint Commission to report on pension legislation.

In which they request the concurrence of the Senate.

House joint resolution for appointment of joint commission to report on pension legislation, was taken up, and, on motion of Mr. KEEZELL, referred to the Committee on Finance and Banks.

Mr. BYARS, by leave, presented

No. 15, A bill to amend section 3427 of the Code, so as to permit the court, when not advised of its judgment, to direct a chancery cause to be submitted in vacation; and to provide for the adjournment of courts in term for reasons deemed sufficient by the judge thereof, and entered of record.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. BYARS, by leave, presented

No. 16, A bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation, upon reasonable notice.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. OPIE, by leave, presented

No. 17, A bill to regulate the height of railroad bridges.

On his motion, the bill being partially read, it was referred to the Committee on Roads and Internal Navigation.

Mr. MANN, by leave, presented

No. 18, A bill to empower county courts, or judges in vacation, to fill vacancies in county offices occasioned by the failure of county officers elected in November, 1903, to qualify according to law.

Which, on his motion, was read the first, ordered to be read a second time and referred to the Committee for Courts of Justice.

Mr. THOMAS, by leave, presented

No. 19, A bill to regulate the sale of cocaine.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. ANDERSON, by leave, presented

No. 20, A bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's Mansion, the State Library building, and the State Capitol, and permit the removal of the heat and power plants now in said buildings.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOLT, by leave, presented

No. 21, A bill to extend the term of all city officers in cities of ten thousand or over, when officers are appointed by city councils of said cities, which have not heretofore had two branches of council, as is now required by the Constitution; and to provide for the election of their successors.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. SHACKELFORD, by leave, presented the following joint resolution:

Resolved by the Senate (the House of Delegates concurring), That the Secretary of the Commonwealth be and hereby is authorized to distribute among the county judges of the State copies of Virginia Reports, No. 100, which would have been given them but for a recent statute; which was agreed to, and he was ordered to inform the House of Delegates thereof.

On motion of Mr. ANDERSON, four days' leave of absence was granted Mr. Joseph Button, Clerk of the Senate.

On motion of Mr. BARKSDALE, four days' leave of absence was granted Mr. MASSIE.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.

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THURSDAY, JANUARY 21, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. W. S. Campbell.

Journal of yesterday read by the Clerk.

The PRESIDENT laid before the Senate the papers in the contested election case of E. S. Kean vs. S. T. Turner, which were ordered printed and referred to the Committee on Privileges and Elections.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, without amendments,

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts, and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods.

And he, from the same committee, reported with a substitute,

No. 18, Senate bill to empower the county courts, or judges in vacation, to fill vacancies in county offices occasioned by the failure of county officers elected in November, 1903, to qualify according to law.

The bill was taken up.

Mr. MANN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—34.

NAYS—None.

The committee substitute was adopted.

The bill, as mended by the substitute, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 34; nays, none.

Senators who voted are :

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutchason, Keesell, Machen, Mann, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Salé, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—34.

**NAYS**—None.

Mr. MANN moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. BARKSDALE, from the Committee on General Laws, reported, with amendments,

No. 9, Senate Bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900.

Mr. WALKER, of the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that the object of

No. 12, Senate bill to authorize the district school board of Blacksburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blacksburg, and to provide for the payment thereof,

Cannot be reached by general laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

And he, of the same committee, also reports that the object of

No. 8, Senate bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol,

Cannot be reached by general laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

Mr. SHANDS, by leave, presented

No. 22, A bill to release the titles of the Commonwealth of Virginia, and the counties and cities thereof, to all real estate purchased at tax sales prior to the year 1898 and now held by them.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. THOMAS, by leave, presented

No. 23, A bill to provide for official receipts for fines.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR, by leave, presented

No. 24, A bill to provide for the protection of the books and other property in the State Library, and to punish any person who shall

wilfully remove the same therefrom, or who shall fail to return the same after receiving notice from the Librarian.

On his motion, the bill being partially read, it was referred to the Committee on Library.

Mr. PHLEGAR, by leave, presented

No. 25, A bill to provide for the correction of errors in judgments and proceedings in cases pending or decided in the county courts on or prior to February 1, 1904, and for the disposition of such cases where public proceedings are necessary.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. OPIE, by leave, presented

No. 26, A bill to amend and re-enact section 23 of chapter 577 of the Acts of Assembly of Virginia, session 1895-6, approved March 3, 1896, entitled "an act to amend and re-enact the charter of the towns of Waynesboro."

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. OPIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Garrett, Gunter, A. C. Harman, Hobbs, Hutcheson, Keezell, Machen, Mann, McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—32.

NAYS—None.

Mr. OPIE moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 33; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

NAYS—None.

Mr. OPIE offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed.

On motion of Mr. OPIE, the bill was passed by.

Mr. BYARS presented the following joint resolution :

Resolved by the Senate (the House of Delegates concurring), That the General Assembly proceed this day at 12:20 o'clock P. M. to the election of Register of Land Office and judge of the Fourteenth Judicial Circuit, and that in the execution of the joint order nominations shall be made for the whole number in the order in which they appear above; and then each house shall be notified of said nominations; then the roll shall be called for the election of one of the officers in the order named, and when the roll shall have been called for the whole number, the presiding officer of each house shall appoint a committee of three, which together shall constitute a joint committee to count the joint vote in each case, and report the result to their respective houses.

Which was agreed to, and he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. STEARNES, who informed the Senate that that House had agreed to the joint resolution having for its object the election of Register of the Land Office and judge of the Fourteenth Judicial Circuit.

The hour of 12:20 o'clock having arrived—

Mr. BYARS was ordered to inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order of the day, which has for its object the election of Register of the Land Office and judge of the Fourteenth Judicial Circuit.

A message was received from the House of Delegates by Mr. KELLEY, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day.

For Register of the Land Office, Mr. BYARS nominated John W. Richardson.

There being no additional nominations, Mr. BYARS was ordered to inform the House of Delegates thereof.

For judge of the Fourteenth Judicial Circuit, Mr. BRYANT nominated D. Gardiner Tyler.

There being no additional nominations, Mr. BRYANT was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. STEARNES, who informed the Senate that the only name before that House for Register of the Land Office was that of John W. Richardson, and the only name for judge of the Fourteenth Judicial Circuit was that of D. Gardiner Tyler.



The roll was called, with the following result :

For John W. Richardson - - - - 36

The Senators who voted for JOHN W. RICHARDSON are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—36.

For D. Gardiner Tyler - - - - 33

The Senators who voted for D. GARDINER TYLER are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Machen, Mann, McIlwaine, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—33.

The PRESIDENT appointed Messrs. CAMPBELL, MACHEN, and NOEL as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint votes, who, through their chairman, reported :

For Register of the Land Office—

Whole number of votes cast	-	-	-	117
Necessary to a choice	-	-	-	59
Of which John W. Richardson received	-	-	-	117

John W. Richardson, having received all the votes cast, was declared duly elected Register of the Land Office for the legal term of that office.

For Judge of the Fourteenth Judicial Circuit—

Whole number of votes cast	-	-	-	119
Necessary to a choice	-	-	-	60
Of which D. Gardiner Tyler received	-	-	-	119

D. Gardiner Tyler, having received all the votes cast, was declared duly elected judge of the Fourteenth Judicial Circuit for the legal term of that office.

Mr. PATTESON, by leave, presented

No. 27, A bill empowering the courts of law or equity to admit evidence to contradict, vary or add to written instruments in cases

of fraud, accident or mistake, or where a fraudulent misuse of such instrument is attempted.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. ANDERSON presented the following joint resolution:

Resolved by the Senate (the House of Delegates concurring), That the two houses meet in joint session at 12:30 P. M. Friday, January 22, 1904, for the consideration of the nomination of Beverly T. Crump as a member of the State Corporation Commission.

Mr. SALE, by leave (by request), presented

No. 28, A bill to amend and re-enact section 2070 of an act entitled an act to amend and re-enact chapter 95 of the Code of Virginia in relation to the preservation of certain useful birds and animals, and to prevent unlawful hunting, and to repeal sections 2075, 2076, 2077, 2081 and 2082 of the Code of Virginia, and an act entitled an act to prevent the extermination of partridges (or quail) in the State of Virginia, approved January 27, 1896, as amended by an act entitled an act to prevent the extermination of partridges (or quail) in the State of Virginia, approved January 27, 1896, in force since December 15, 1897.

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

Mr. SHACKELFORD, by leave, presented

No. 29, A bill to repeal section 2105 of the Code of Virginia, as amended by act of Assembly, session 1899-1900.

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.

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### FRIDAY, JANUARY 22, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. F. T. McFaden.

Journal of yesterday read by the Clerk.

Mr. ANDERSON, from the Committee on Library, reported, without amendment,

No. 24, Senate bill to provide for the protection of the books and other property in the State Library and to punish any person who shall wilfully remove the same therefrom, or who shall fail to return the same after receiving notice from the Librarian.

Mr. WICKHAM, by leave, presented

No. 30, A bill to amend and re-enact the 12th article of section

183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia in relation to salaries, mileage and other allowances, approved February 7, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. NOEL, by leave, presented

No. 31, A bill to amend and re-enact section 3813 of the Code of Virginia.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. PHLEGAR, by leave, presented

No. 32, A bill to amend and re-enact sections 4016 and 4018 of the Code of Virginia, as amended and re-enacted by an act approved January 2, 1904, which is section 553 of the Acts of the special session of 1903-4, concerning the trial of criminal cases and juries therefor.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 26, Senate bill to amend and re-enact section 23 of chapter 577 of the Acts of Assembly of Virginia, session 1895-6, approved March 3, 1896, entitled "an act to amend and re-enact the charter of the town of Waynesboro."

Was taken up.

Mr. OPIE moved to reconsider the vote by which the bill was ordered to be engrossed, which was agreed to.

Mr. OPIE offered amendments, which were adopted.

Mr. ANDERSON moved to commit the bill to the Joint Committee on Special, Private and Local Legislation, which was agreed to by unanimous consent.

Mr. OPIE moved that the Joint Committee on Special, Local and Private Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 35; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—35.

NAYS—None.

The bill was then referred to the Committee on County, City and Town Organization.

Mr. OPIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Hutcheson, Keezell, Machen, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—32.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 34; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—34.

NAYS—None.

A message was received from the House of Delegates by Mr. Boaz, who informed the Senate that that House had passed the following substitute for Senate joint resolution, relative to the confirmation of the nomination, by the Governor, of a member of the State Corporation Commission.

Resolved by the House of Delegates (the Senate concurring), That the General Assembly proceed to-day at 12:30 o'clock P. M. to consider for confirmation or rejection the nomination by the Governor of a member of the State Corporation Commission, and that the rules for the government of the Senate and House of Delegates, when convened in joint assembly for such purpose, shall be as follows:

Joint rules for the government of the Senate and the House of Delegates, when convened in joint assembly for the purpose of confirming or rejecting the nominations of the Governor for member of the State Corporation Commission:

1. At the hour fixed for the meeting of the joint assembly, accompanied by the President of the Senate, the Senators shall proceed to the hall of the House of Delegates and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators by the Sergeant-at-Arms of the House. The Speaker of

the House shall assign an appropriate seat for the President of the Senate.

2. The Speaker of the House shall be President of the joint assembly. In case it shall be necessary for him to vacate the chair his place shall be taken by the President of the Senate, or in his absence, by such member of the joint assembly as the President may designate.

3. The Clerk of the House shall be clerk of the joint assembly, and shall be assisted by the Clerk of the Senate. He shall enter the proceedings of the joint assembly in the Journal of the House, and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same on the Journal of the Senate.

4. The Sergeant-at-Arms, doorkeepers and pages of the House shall act as such for the joint assembly.

5. The rules of the House of Delegates, so far as practicable, shall be the rules of the joint assembly.

6. When the joint assembly shall have convened, the hall and galleries of the House of Delegates shall be cleared of persons except the members of the joint assembly and the officers and employees of the two bodies, and the session of the joint assembly shall be executive, and a ban of secrecy imposed until the business of the joint assembly shall have been completed, and then the results of the proceedings entered on the Journal of the House and certified to the Clerk of the Senate for entry upon the Journal of the Senate, as hereinbefore provided.

7. In calling the roll of the joint assembly, the names of Senators shall be called first in alphabetical order, and then the names of the Delegates in like order, except that the name of the Speaker of the House shall be called last.

8. If, when the joint assembly meets, it shall be ascertained that a majority of each house is not present, the joint assembly may take measures to secure the attendance of absentees or adjourn until a succeeding day, as a majority of those present may determine.

9. When the joint assembly adjourns the Senators, accompanied by the President of the Senate and Clerk of the Senate, shall return to their chamber, and the business of the House shall be proceeded with in the same order as when it was interrupted by the entrance of the Senators.

On motion of Mr. ANDERSON, the Senate concurred in House substitute, and he was ordered to inform the House of Delegates thereof. .

The hour of 12:30 o'clock P. M. having arrived (being the hour fixed by joint resolution for the meeting of the members of the two houses in joint assembly to consider for confirmation or rejection the nomination of the Governor for the State Corporation Commis-

sion), the Senate of Virginia entered the hall of the House of Delegates, preceded by the President of the Senate and the Clerk of the Senate.

The roll of the Senate was called, and the following Senators responded:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbel<sup>l</sup>, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—37.

There were thirty-seven Senators present.

The roll of the House of Delegates was called, and the following Delegates responded:

Messrs. Adams, Anderson, Baker, Barnes, Beatie, Bird, Boaz, Bridgforth, Bruce, Bryant, Cardwell, Caton, Clark, Clarke, Coleman, Collier, Cox, Crawford, Daniel, Dickinson, Duke, Edmondson, Everett, Garrett, Gravely, Graves, Gray, Green, Gregory, Gunn, Harrison, Hoge, Howle, Hunley, Jennings, Jordan, Lambeth, Latane, H. E. Lee, R. E. Lee, Jr., J. M. Lewis, W. H. Lewis, Lion, H. C. Lowry, M. K. Lowry, Lyell, McNeil, Mitchell, Moncre, Moss, Ouid, Owen, Owens, Pannill, Person, Phillips, Powell, Read, Rew, Robson, Rogers, Rosenegk, Royall, Sayers, Scott, Slaughter, Blackburn Smith, Sneed, Spessard, Stearnes, Sterrett, Stewart, Sydnor, Thomason, Thomson, Thornhill, Turpin, Walker, Wallace, Watson, Weaver, Willeroy, Withers, Wood, and Mr. Speaker—85.

There were eighty-five Delegates present.

The joint assembly having resolved itself into executive session, the Speaker of the House laid before the joint assembly the following communication from the Governor:

JANUARY 14, 1904..

*To the General Assembly:*

I hereby appoint, subject to your confirmation in joint session, Beverly T. Crump, Esq., of the city of Richmond, a member of the State Corporation Commission, for the term beginning the first day of February, 1904.

A. J. MONTAGUE.

Mr. ANDERSON moved that the nomination of Beverly T. Crump, as member of the State Corporation Commission for the term beginning February 1, 1904, be confirmed.

Which was agreed to.

The injunction of secrecy being removed, it was ordered that the foregoing record be spread on the Journal of the House of Delegates and a copy thereof certified to the Clerk of the Senate for entry upon

the Journal of the Senate, as provided by the rules of the joint assembly.

On motion of Mr. ANDERSON, the joint assembly adjourned *sine die*.

I hereby certify that the foregoing is a true copy of the Journal in relation to the proceedings of the joint assembly held Friday, January 22, 1904, to consider for confirmation or rejection the nomination of the Governor for the State Corporation Commission.

JNO. W. WILLIAMS,

*Clerk of the House of Delegates.*

*and as such Clerk of the Joint Assembly.*

Mr. THOMAS, by leave, presented

No. 33, A bill making official bonds of State, county and city officers a lien on real estate owned by such officers and their sureties; and to provide for recording such official bonds, and for foreclosing such real estate.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR, by leave (by request), presented

No. 34, A bill to amend and re-enact section 5, chapter 8 of an act concerning public service corporations, approved January 16, 1904.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. CAMPBELL, by leave, presented

No. 35, A bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade, or for advertising purposes.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. A. C. HARMAN, by leave (by request), presented

No. 36, A bill to amend section 141 of an act approved April 16, 1903, entitled an act to raise revenue for the support of the government and public free schools.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts, and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods, was taken up and read the first time.

No. 9, Senate bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900, was taken up and read the first time.

Mr. WICKHAM presented the following resolution :

Resolved by the Senate, That its members have learned with the profoundest regret of the grief that has come upon the Clerk of this body, who has so endeared himself to his associates, and we hereby tender him our warmest sympathy in the loss of one who was near and dear to him.

Which was agreed to.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.

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SATURDAY, JANUARY 23, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. F. T. McFaden.

Journal of yesterday read by the Clerk.

Mr. REVERCOMB, by leave, presented

No. 37, A bill to amend and re-enact section 161 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 157, 158, 159, 160 and 161 of the Code of Virginia, approved December 10, 1903, so as to allow appeal in contested election cases.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. THOMAS, by leave, presented

No. 38, A bill to provide a special fund to aid in the maintenance and support of such primary schools as may be for the public good.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOLT, by leave, presented

No. 39, A bill prescribing and defining the right to an attorney's lien in certain cases.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. THOMAS, by leave, presented

No. 40, A bill to amend and re-enact sections 1450 and 1506, and to repeal sections 1490 and 1491 of an act entitled an act to re-enact chapter 66 of the Code of Virginia relating to public free schools for counties and for the literary fund.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. BYARS, by leave, presented

No. 41, A bill to authorize publication in the Acts of the General



Assembly of a list of domestic and foreign corporations, legally qualified and licensed to do business in the State of Virginia, showing the amount of the capital stock, and the county or city wherein is located the general offices of said corporations.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

On motion of Mr. BRYANT, two days' leave of absence was granted Mr. CAMPBELL.

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 9, Senate bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900, with committee amendment, was taken up, read the second time, committee amendment agreed to, ordered to be engrossed and read a third time.

No. 24, Senate bill to provide for the protection of the books and other property in the State Library, and to punish any person who shall wilfully remove the same therefrom, or who shall fail to return the same after receiving notice from Librarian, was taken up and read the first time.

Mr. MANN, by leave, presented

No. 42, A bill to amend and re-enact section 585 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 581 and 585 of the Code of Virginia," approved December 10, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. MANN moved that the Committee on Privileges and Elections be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Noel, Opie, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—27.

NAYS—None.

Mr. MANN moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate

being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Noel, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Shackelford, Tavenner, Thomas, Turner, Walker, and Wickham—24.

NAYS—None.

No. 12, Senate bill to authorize the district school board of Blacksburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blacksburg, and to provide for the payment thereof, with committee amendment, was taken up.

Mr. PHLEGAR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Greear, Gunter, Holt, Hutcheson, Keezell, Machen, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—24.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Assembly of a list of domestic and foreign corporations, legally qualified and licensed to do business in the State of Virginia, showing the amount of the capital stock, and the county or city wherein is located the general offices of said corporations.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

On motion of Mr. BRYANT, two days' leave of absence was granted Mr. CAMPBELL.

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 9, Senate bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900, with committee amendment, was taken up, read the second time, committee amendment agreed to, ordered to be engrossed and read a third time.

No. 24, Senate bill to provide for the protection of the books and other property in the State Library, and to punish any person who shall wilfully remove the same therefrom, or who shall fail to return the same after receiving notice from Librarian, was taken up and read the first time.

Mr. MANN, by leave, presented

No. 42, A bill to amend and re-enact section 585 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 581 and 585 of the Code of Virginia," approved December 10, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. MANN moved that the Committee on Privileges and Elections be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Noel, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—27.

NAYS—None.

Mr. MANN moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate

being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Noel, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Shackelford, Tavenner, Thomas, Turner, Walker, and Wickham—24.

NAYS—None.

No. 12, Senate bill to authorize the district school board of Blacksburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blacksburg, and to provide for the payment thereof, with committee amendment, was taken up.

Mr. PHLEGAR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Greear, Gunter, Holt, Hutcheson, Keezell, Machen, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—24.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are :

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Gunter, Hutcheson, Keezell, Machen, Noel, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, and Walker—22.

NAYS—None.

The committee amendment was adopted.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 23; nays, none.

Senators who voted are :

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Greear, Gunter, Hutcheson, Keezell, Machen, Noel, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, and Walker—23.

NAYS—None.

On motion of Mr. CHAPMAN, the Senate adjourned until Monday next at 12 o'clock.

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### MONDAY, JANUARY 25, 1904.

Lieutenant-Governor Joseph E. WILLARD in the chair.

Journal of Saturday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows :

#### *In House of Delegates, January 23, 1904.*

The House of Delegates has passed House bills entitled an act to appropriate certain sums of money out of the public treasury in aid of Confederate memorial associations having in charge cemeteries containing graves of Confederate soldiers, No. 3.

And an act to amend and re-enact section 2967 of Code of 1887, in relation to attachments, No. 4.

In which they request the concurrence of the Senate.

No. 3, House bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers, was taken up, read the first time, and referred to the Committee on Finance and Banks.

No. 4, House bill to amend and re-enact section 2967, Code of Virginia, in relation to attachments, was taken up, read the first time, and referred to the Committee for Courts of Justice.

Mr. GREEAR, by leave, presented.

No. 43, A bill to protect trout in the waters of Wilson district, in Grayson county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods, was taken up and read the third time.

By unanimous consent Mr. BYARS offered an amendment, which was adopted.

The bill was then passed with its title by the following vote—yeas, 28; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Greear, Gunter, A. C. Harman, J. N. Harman, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sears, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—28.

NAYS—None.

No. 9, Senate bill to amend and re-enact an act approved April 23, 1903, entitled an act to amend and re-enact section 1747 of the Code of Virginia, regulating the practice of medicine and surgery in Virginia, as amended and re-enacted by an act approved March 7, 1900, was taken up and read the third time.

By unanimous consent, Mr. BARKSDALE moved to strike out the last section of the bill.

Which was agreed to.

The bill was then passed with its title by the following vote—yeas, 25; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, A. C. Harman, J. N. Harman, Hutcheson, Keezell, Machen, Massie, Noel, Phlegar, Revercomb, Rison, Sadler, Sears, Shands, St. Clair, Tavenner, Turner, Walker, and Wickham—25.

NAYS—Mr. Ople—1.

Mr. BARKSDALE moved to reconsider the vote by which the bill was passed, which was rejected.

A message was received from the House of Delegates by Mr. JENNINGS, who informed the Senate that that House had passed the following joint resolution:

Resolved (the Senate concurring), That the two houses proceed on Tuesday, the 26th instant, at 1 o'clock P. M., to elect a Senator to the Congress of the United States, according to the provisions of the act of Congress in relation to the election of Senators to the Congress of the United States, for the term of six years, commencing on March 4, 1905, and that the rules for the government of the Senate and House of Delegates, when convened in joint assembly for the election of Senators in Congress, shall be as follows:

1. At the hour fixed for the meeting of the joint assembly, the Senators, accompanied by the President of the Senate and the Clerk of the Senate, shall proceed to the hall of the House of Delegates, and shall be received by the Delegates standing. The Speaker shall vacate the chair, which shall be taken by the President of the Senate; appropriate seats shall be assigned to the Senators by the Sergeant-at-Arms of the House.

2. The President of the Senate shall be President of the joint assembly; in case it shall be necessary for him to vacate the chair, his place shall be taken by the Speaker of the House, or in his absence, by such member of the joint assembly as the President may designate.

3. The Clerk of the House shall be clerk of the joint assembly, and shall be assisted by the Clerk of the Senate. He shall enter the proceedings of the joint assembly in the Journal of the House, and shall certify the same to the Clerk of the Senate, who shall also enter them on the Journal of the Senate.

4. The Sergeant-at-Arms, doorkeepers and pages of the House shall act as such for the joint assembly.

5. The rules of the House of Delegates, as far as applicable, shall be the rules of the joint assembly.

6. When the joint assembly first meets, as provided by the act of Congress, the Journals of the Senate and House of Delegates for the preceding day shall be read. If, when the Journals shall be read it shall appear that the same person shall have received a majority of votes in each House for Senators, the result shall be declared by the President.

7. If no person shall receive a majority in each house, the joint assembly shall then proceed to vote *viva voce* for a Senator, as provided in the act of Congress; and no motion for adjournment shall be in order (on any day) until at least one vote shall have been taken.

8. In calling the roll of the joint assembly, the names of the Senators shall be called first, in alphabetical order, and then the names of the delegates in like order, except that the name of the Speaker of the House shall be called last.

9. When the election shall be made as required, the joint assembly shall adjourn *sine die*, and the result shall be certified by the President and Clerk of the joint assembly to the Governor.

10. If no election shall be made, the joint assembly, when it adjourns, shall adjourn to meet at 12 o'clock meridian on the succeeding day.

11. If when the joint assembly meets it shall be ascertained that a majority of each house is not present, the joint assembly may take measures to secure the attendance of absentees, or adjourn to the succeeding day, as a majority of them present may determine.

12. When the joint assembly adjourns the Senators, accompanied by the President of the Senate and Clerk of the Senate, shall return to the chamber. The Speaker of the House shall resume the chair, and the business of the House shall be proceeded with in the same order as when it was interrupted by the entrance of the Senators.

Which was adopted.

Mr. SEARS was ordered to inform the House of Delegates thereof.

No. 24, Senate bill to provide for the protection of the books and other property in the State library and to punish any person who shall wilfully remove the same therefrom or who shall fail to return the same after receiving notice from the librarian, was taken up, and read the second time, ordered to be engrossed, and read a third time.

Mr. WICKHAM moved that when the Senate adjourns on Tuesday, January 26, 1904, that it adjourn to meet at 11:45 o'clock A. M. the day following.

Which was agreed to.

On motion of Mr. WALKER, four days' leave of absence was granted Mr. SEARS.

On motion of Mr. CHAPMAN, the Senate adjourned until to-morrow at 12 o'clock.

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## TUESDAY, JANUARY 26, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Journal of yesterday read by the Clerk.

Mr. MACHEN, by leave, presented

No. 44, A bill to provide for primary elections.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. TAVENNER, by leave, presented



No. 45, A bill to allow notaries public of this State under the age of 21 years to sue for fees due them as notaries.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TAVENNER, by leave, presented

No. 46, A bill in relation to the boards of supervisors of the counties of Shenandoah, Frederick, Clarke, Warren, and Page.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SHACKELFORD, by leave, presented

No. 47, A bill appropriating \$17,000.00 per annum for two years to the Medical College of Virginia for the general purposes of the college, and to provide free hospital treatment to the indigent sick of the Commonwealth.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SADLER, by leave, presented

No. 48, A bill to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SALE, by leave, presented

No. 49, A bill providing for additional terms of the Circuit Court in the city of Norfolk and fixing the times for the same.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SALE moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Fulton, Greear, A. C. Harman, Holt, Hutcheson, Keezell, Machen, Massie, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace, and Wickham—24.

NAYS—None.

Mr. SALE moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Chapman, Greear, A. C. Harman, Hutcheson, Keezell, Machen, Massie, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 26; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Greear, Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace, and Wickham—26.

NAYS—None.

On motion of Mr. SALE, he was ordered to inform the House of Delegates thereof.

Mr. SADLER, by leave, presented

No. 50. A bill to prevent the killing or capturing of any game other than rabbits, for the purpose of shipping; and to prevent the sale or shipping of the same out of the county wherein it is killed, and to provide the penalty therefor.

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

No. 24, Senate bill to provide for the protection of the books and other property in the State library and to punish any person who shall wilfully remove the same therefrom or who shall fail to return the same after receiving notice from the librarian, was taken up, read the third time, and passed with its title by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Greear, Hobbs, Hutcheson, Keezell, Massie, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace, and Wickham—27.

NAYS—None.

A message was received from the House of Delegates by Mr. CARDWELL, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order, having for its object the election of a Senator to represent this State in the Congress of the United States.

The hour of 1 o'clock having arrived, and being the time fixed for the execution of the joint order, which has for its object the election of a Senator to represent this State in the Congress of the United States for the term of six years, commencing March 4, 1905—

Ordered, That Mr. WICKHAM inform the House of Delegates that

the Senate was ready on its part to proceed to the execution of the joint order.

Mr. OPIE nominated John W. Daniel, of the county of Campbell, for Senator to represent this State in the Congress of the United States for the term of six years, commencing on March 4, 1905.

Mr. PATTESON seconded the nomination of John W. Daniel.

Mr. J. N. HARMAN nominated Campbell Slemph, of Wise county.

Mr. NOEL seconded the nomination of Campbell Slemph.

Mr. REVERCOMB seconded the nomination of Campbell Slemph.

Mr. GREEAR seconded the nomination of Campbell Slemph.

Mr. WALKER was ordered to inform the House of Delegates that the only names before the Senate for United States Senator are those of John W. Daniel and Campbell Slemph.

A message was received from the House of Delegates by Mr. OULD, who informed the Senate that the only names before that House for United States Senator were those of John W. Daniel and Campbell Slemph.

The roll was called, with the following result:

For John W. Daniel	-	-	-	-	-	29
For Campbell Slemph	-	-	-	-	-	5

The Senators who voted for JOHN W. DANIEL are—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, A. C. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Walker, Wallace, and Wickham—29.

The Senators who voted for CAMPBELL SLEMP are—Messrs. Greear, J. N. Harman, Noel, Revercomb, and Turner—5.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 11:45 o'clock A. M.

WEDNESDAY, JANUARY 27, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. W. V. Tudor.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, January 26, 1904.*

The House of Delegates has passed House bills entitled an act to

amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled 'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories,' approved March 15, 1902, and as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories,'" approved April 2, 1902, No. 2; an act to amend and re-enact sub-section 2 of section 2070a and section 2079 of the Code, as amended by an act approved May 14, 1903, entitled an act to amend and re-enact chapter 95 of the Code of Virginia, in relation to the preservation of certain useful birds and animals and to prevent unlawful hunting, and to repeal certain sections of the Code, etc., No. 5; an act to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th day of June, 1903, for the purpose of issuing bonds of the town for macadamizing streets and other town improvements and indebtedness, No. 9; an act to continue in office the commissioners of chancery of the present circuit courts, No. 11.

In which they request the concurrence of the Senate.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia," as amended and re-enacted by an act entitled "an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories," approved February 3, 1900, as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved March 15, 1902, and as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved April 2, 1902, was taken up and referred to the Committee on Finance and Banks.

No. 5, House bill to amend and re-enact sub-section 2 of section 2070a, and section 2079 of the Code, as amended by an act approved May 14, 1903, entitled "an act to amend and re-enact chapter 95 of the Code of Virginia, in relation to the preservation of certain useful birds and animals, and to prevent unlawful hunting, and to repeal certain sections of the Code," &c., was taken up and referred to the Committee on Fish and Game.

No. 9, House bill to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th of June, 1903, for the purpose of issuing bonds of the town for macadamizing streets and other town improvements and indebtedness, was taken up

and referred to the Committee on County, City and Town Organization.

No. 11, House bill to continue in office the commissioners in chancery of the present circuit courts, was taken up, read the first time, and referred to the Committee for Courts of Justice.

Mr. ANDERSON moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24 ; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Ford, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Sadler, Sale, Shackelford, St. Clair, Tavenner, Wallace, and Wickham—24.

NAYS—None.

Mr. ANDERSON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21 ; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Ford, A. C. Harman, J. N. Harman, Hobbs, Holt, Machen, McIlwaine, Ople, Phlegar, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Wallace, and Wickham—21.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 27 ; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Chapman, Ford, Fulton, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Wallace, and Wickham—27.

NAYS—None.

Mr. ANDERSON moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, with amendments, the following bill :

No. 3, House bill “to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers.”

He, from the same committee, also reports, with recommendation that it do not pass,

No. 22, Senate bill "to release the title of the Commonwealth of Virginia and the counties and cities thereof to all real estate purchased at tax sales prior to the year 1898 and now held by them."

Mr. OPIE, by leave, presented

No. 51, A bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments, and other erections, and authorizing cemetery companies, or trustees holding title to cemeteries or burial grounds, to take and hold any property according to the terms of the grant, bequest, devise or gift.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. J. N. HARMAN, by leave, presented

No. 52, A bill to vacate and close certain streets in the town of Tazewell, in Tazewell county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. BYARS, by leave, presented

No. 53, A bill to amend and re-enact section 3049, as amended by an act approved May 30, 1903, as amended by an act approved December 12, 1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

On motion of Mr. HUTCHESON, indefinite leave of absence was granted Mr. GARRETT.

Mr. BARKSDALE, by leave, presented

No. 54, A bill to amend and re-enact an act entitled "an act to amend and re-enact section 17 of an act entitled 'an act to raise revenue, etc., approved December 12, 1903.'"

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. PHLEGAR, by leave, presented

No. 55, A bill to amend and re-enact section 4 of the Code of Virginia, as amended by chapter 340 of the Acts of 1903-4, relating to the time statutes take effect, and the publication thereof.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Ford, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Mann, Massie,

McIlwaine, Noel, Opie, Phlegar, Rison, Sale, Shackelford, Shands, St. Clair, Tavenner, Wallace, and Wickham—26.

NAYS—None.

Mr. PHLEGAR moved\* to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Ford, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Massie, Noel, Opie, Phlegar, Rison, Sale, Shackelford, Shands, St. Clair, Tavenner, Wallace, and Wickham—24.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Ford, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Massie, Noel, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—24.

NAYS—None.

On his further motion, he was ordered to inform the House of Delegates thereof.

The hour of 12 o'clock M. having arrived, which being the hour, according to act of Congress, entitled an act to regulate the time and manner of holding elections for Senators in Congress, for the meeting of members of the two houses in joint assembly for the election of a Senator in Congress, the Senate of Virginia entered the hall of the House of Delegates, preceded by the President of the Senate and Clerk of the Senate.

Thereupon the President of the Senate, in accordance with the joint rule, assumed the chair, and called the joint assembly to order.

The roll of the Senate was called, and the following Senators responded:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutche-

son, Keezell, Machen, Mann, Massie, Mollwaine, Neel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sala, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—36.

There were thirty-six Senators present.

The roll of the House of Delegates was called, and the following Delegates responded:

Messrs. Adams, Anderson, Baker, Barnes, Beatie, Bird, Boaz, Bowman, Bridgforth, Brooks, Bruce, Bryant, Cardwell, Clark, Clarke, Coleman, Collier, Cox, Crawford, Daniel, Dickinson, Duke, Edmondson, Everett, Garrett, Gravely, Graves, Gray, Green, Gregory, Gunn, Harrison, Hoffman, Hoge, Howle, Hunley, Jennings, Jordan, Kelley, Lacy, Latane, H. E. Lee, R. E. Lee, Jr., J. M. Lewis, W. H. Lewis, Lion, M. h. Lowry, Lyell, Mays, McNeill, Mitchell, Moncure, Moss, Ould, Owen, Owens, Pannill, Parker, Person, Phillips, Powell, Read, Rew, Rosenegk, Robson, Rogers, Royall, Sayers, Scott, Slaughter, Blackburn Smith, Charles Smith, Sneed, Spessard, Stearnes, Stewart, Stubbs, Sydnor, Thomason, Thomson, Thornhill, Turpin, Walker, Wallace, Watson, Weaver, Willeroy, Withers, Wood, and Mr. Speaker—89.

There were eighty-nine Delegates present.

The Journal of the Senate of yesterday was read, from which it appeared that John W. Daniel had received 29 votes (being a majority of all votes cast) for Senator in the Congress of the United States from the State of Virginia for the term of six years, commencing March 4, 1905.

The Journal of the House of Delegates was read, from which it appeared that John W. Daniel had received 71 votes (a majority of all the votes cast) for Senator in the Congress of the United States from the State of Virginia for the term of six years, commencing on March 4, 1905.

The President of the joint assembly then declared that John W. Daniel, having received a majority of all the votes cast in each house, was duly elected a Senator in the Congress of the United States from the State of Virginia for the term of six years, commencing on March 4, 1905.

Mr. JENNINGS offered the following resolution:

Resolved, That a committee of three on the part of the House and three on the part of the Senate be appointed to notify Hon. John Warwick Daniel of his election to the Senate of the United States, and request him to address the joint assembly.

Which was agreed to.

The President of the joint assembly appointed Messrs. OPIE, WICKHAM, and PATTESON the committee on the part of the Senate, and Messrs. JENNINGS, WALKER, and OULD the committee on the part of the House.



The committee subsequently reported and presented Senator-elect John W. Daniel, who responded appropriately.

On motion of Mr. LEE of *Fairfax*, the joint assembly adjourned *sine die*.

I hereby certify that the foregoing is a true copy of the Journal in relation to the proceedings of the joint assembly held Wednesday, January 27, 1904, for the election of a Senator in Congress.

JOHN W. WILLIAMS,  
*Clerk of the House of Delegates,*  
*and as such Clerk of the Joint Assembly.*

On motion of Mr. WICKHAM, the Senate adjourned until to-morrow at 12 o'clock.

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### THURSDAY, JANUARY 28, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

#### *In House of Delegates, January 27, 1904.*

The House of Delegates has passed House bills entitled an act to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell, barter or exchange such liquor in said town, and to repeal all laws in conflict with this act, so far as they apply to said town, No. 12; an act to incorporate the town of Cedar Bluff, in Tazewell county, No. 13; an act to authorize the board of supervisors of Roanoke county and the council of the town of Salem to make an appropriation in aid of the erection of a monument to the Confederate soldiers of said county, No. 14; an act to amend and reenact an act approved April 4, 1903, entitled an act to authorize the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, No. 16.

In which they request the concurrence of the Senate.

No. 12, House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell, barter or exchange such liquor in said town, and to repeal all laws in conflict with this act, so far as they apply to said town, was taken up and referred to the Committee on Finance and Banks.

No. 13, House bill to incorporate the town of Cedar Bluff, in Tazewell county, was taken up and referred to the Committee on County, City and Town Organization.

No. 14, House bill to authorize and empower the board of supervisors of Roanoke county and the council of the town of Salem to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, was taken up and referred to the Committee on County, City and Town Organization.

No. 16, House bill to amend and re-enact an act approved April 4, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, was taken up and referred to the Committee on County, City and Town Organization.

Mr. McILWAIN, from the Committee for Courts of Justice, reported, with amendments,

No. 48, Senate bill to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903, was taken up.

Mr. SADLER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 33; nays, none.

**Senators who voted are:**

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—33.

**NAYS**—None.

The committee amendments were adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 29; nays, none.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—29.

**NAYS**—None.

He, from the same committee, reported, without amendments,

No. 25, Senate bill to provide for the correction of errors in judgments and proceedings in cases pending or decided in the county courts on or prior to February 1, 1904, and for the disposition of such cases where further proceedings are necessary, was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, A. C. Harman, Hobbs, Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Opel, Phlegar, Revercomb, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—31.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 32; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—32.

NAYS—None.

He, from the same committee, reported with amendments,

No. 32, Senate bill to amend and re-enact sections 4016 and 4018 of the Code of Virginia, and amended and re-enacted by an act approved January 2, 1904, which is section 553 of the Acts of the extra session of 1903-1904, concerning the trial of criminal cases and juries therefor, was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Holt, Hutche-

son, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Walker, Wallace, and Wickham—29.

NAYS—None.

The committee amendments were adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 29; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—29.

NAYS—None.

He, from the same committee, reported, without amendments,

No. 45, Senate bill to allow notaries public of this State, under the age of twenty-one years, to sue for fees due them as notaries.

Mr. TAVENNER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—30.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 28; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Greear, Gunter, A. C. Harman, Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—28.

NAYS—None.

He, from the same committee, reported, with amendments,

No. 51, Senate bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments and other erections, and authorizing cemetery companies, or trustees holding title to cemeteries or burial grounds, to take and hold any property according to the terms of the grant, bequest, devise or gift.

Mr. REVERCOMB presented the following joint resolution:

"Resolved by the Senate (the House of Delegates concurring), That the Representatives from Virginia in the United States Senate be, and they are hereby instructed, and the Representatives from Virginia in the House of Representatives are requested to vote for and support the bill pending in Congress, known as the Brownlow road bill, providing Federal aid for public highways.

The resolution was taken up, and, on motion of Mr. KEEZELL, referred to the Committee on Roads and Internal Navigation.

No. 3, House bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers, with committee amendments, was taken up, read the second time and committee amendments adopted.

Mr. SHANDS offered an amendment, which was adopted.

Mr. WICKHAM offered an amendment, which was adopted.

Mr. FULTON offered an amendment, which was adopted.

No. 22, Senate bill to release the title of the Commonwealth of Virginia and the counties and cities thereof to all real estate purchased at tax sales prior to the year 1898 and now held by them.

By unanimous consent Mr. SHANDS moved that the bill be recommended to the Committee on Finance and Banks.

Which was agreed to.

Mr. BRYANT, by leave, presented

No. 56, A bill authorizing the board of supervisors of Henrico county to levy a capitation tax for school purposes.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SALE, by leave, presented

No. 57, A bill to amend and re-enact section 2485 of the Code of Virginia, as amended by an act approved December 10, 1903, and entitled "an act to amend and re-enact section 2485 of the Code of Virginia, as amended by an act entitled 'an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, &c., of transportation, mining and manufacturing companies on franchises and property of said company, and how the same may be perfected and enforced, approved February 15, 1892.'"

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SALE, by leave, presented

No. 58, A bill creating a State board for the relief of the indigent sick, providing for contracts between said board and chartered institutions of the State for the care of sick citizens, regulating the terms and conditions for the admission of such persons into those institutions and their treatment therein, and appropriating ten thousand dollars per annum for two years to pay for the care and treatment of such persons.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

On motion of Mr. SADLER, the Senate adjourned until to-morrow at 12 o'clock.

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FRIDAY, JANUARY 29, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In the House of Delegates, January 28, 1904.*

The House of Delegates has passed Senate bills entitled an act to amend and re-enact section 23 of chapter 577 of the Acts of Assembly of Virginia, session 1895-'96, approved March 3, 1896, entitled "an act to amend and re-enact the charter of the town of Waynesboro," No. 26; an act to amend and re-enact section 585 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, entitled an act to amend and re-enact sections 581 and 585 of the Code of Virginia, approved December 10, 1903, No. 42.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

No. 11, House bill to continue in office the commissioners in chancery of the present circuit courts.

No. 26, Senate bill to amend and re-enact section 23 of chapter 577 of the Acts of Assembly of Virginia, session 1895-6, approved March 3, 1896, entitled "an act to amend and re-enact the charter of the town of Waynesboro."

No. 42, Senate bill to amend and re-enact section 585 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, entitled an act to amend and re-enact sections 581 and 585 of the Code of Virginia, approved December 10, 1903.

Mr. WICKHAM reported from Committee on Finance and Banks, with substitute,

No. 22, Senate bill "to release the title of the Commonwealth of Virginia, and the counties and cities thereof, to all real estate purchased at tax sales prior to the year 1898 and now held by them."

He, from the same committee, reported, with amendment,

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat and light and power to the Governor's Mansion, the State Library building, and the State Capitol, and to permit the removal of the heat and power plants now in said building.

And he, from the same committee, reported committee bill,

No. 59, Senate bill to amend and re-enact sections 75 to 147, inclusive, of an act approved April 16, 1903, entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution."

Mr. WICKHAM moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Machen, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace, and Wickham—27.

NAYS—None.

On motion of Mr. PHLEGAR, three days' leave of absence was granted Mr. FORD.

Mr. MACHEN, by leave, presented

No. 60, A bill to amend and re-enact sections 2 and 3 of chapter 2, and sections 40 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the Acts of Assembly for the extra session of 1902-1903-1904.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

A message was received from the House of Delegates by Mr. BAKER, who informed the Senate that that House had passed the following joint resolution:

"Whereas, by reason of the expiration of the term of office of certain members of the General Assembly, vacancies have occurred on the Building Committee, having charge of the improvements at the State Penitentiary:

"Resolved by the House of Delegates (the Senate concurring), That the Speaker of the House and the President of the Senate be and they are hereby authorized, respectively, to fill vacancies which have occurred, or may hereafter occur, on said committee by resignation, death or expiration of the term of office of any member appointed by them on said committee."

Which, on motion of Mr. A. C. HARMAN, was agreed to, and he was ordered to inform the House of Delegates thereof.

No. 3, House bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers, was taken up and read the third time.

No. 51, Senate bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments and other erections, and authorizing cemetery companies, or trustees holding title to cemeteries or burial grounds, to take and hold any property according to the terms of the grant, bequest, devise or gift, was taken up and read the first time.

Mr. HOBBS, by leave, presented

No. 61, A bill to amend and re-enact section 603 of the Code of Virginia of 1887, as amended and re-enacted by Acts of the General Assembly of 1897-8, page 671.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.



SATURDAY, JANUARY 30, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In the House of Delegates, January 29, 1904.*

The House of Delegates has passed House bills entitled an act to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, No. 7; an act to empower the Circuit Court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square, at the county seat thereof, No. 15; an act to amend and re-enact section 1764 of the Code of Virginia, as amended by an act approved March 5, 1894, relating to the practice of pharmacy, No. 17; an act to amend and re-enact section 458 of the Code of Virginia, in relation to the land books of commissioners of the revenue in the several counties and cities in this State, No. 18; an act to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia in relation to the mode in which land and property books shall be made out, approved February 22, 1890, No. 19; an act to amend and re-enact section 836 of the Code of Virginia, as amended by an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, No. 20; an act to repeal an act entitled "an act to amend and re-enact an act entitled an act to provide a road law for Campbell county, approved March 5, 1900, providing and regulating a road board for said county, and directing the disbursement of the county's road fund," approved April 2, 1902, No. 21; and an act to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, No. 22.

In which they request the concurrence of the Senate.

No. 7, House bill to amend and re-enact section 525 of the Code

of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, was taken up and referred to the Committee on Finance and Banks.

No. 15, House bill to empower the Circuit Court and board of supervisors of Roanoke county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof, was taken up and referred to the Committee on County, City and Town Organization.

No. 17, House bill to amend and re-enact section 1763 of the Code of Virginia, as amended by an act approved March 5, 1894, relating to the practice of pharmacy, was taken up and referred to the Committee on General Laws.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia in relation to land books of commissioners of the revenue in the several counties and cities in this State, was taken up and referred to the Committee on Finance and Banks.

No. 19, House bill to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia in relation to the mode in which land and property books shall be made out, approved February 22, 1890, was taken up and referred to the Committee on Finance and Banks.

No. 20, House bill to amend and re-enact an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up and referred to the Committee for Courts of Justice.

No. 21, House bill to repeal an act entitled "an act to amend and re-enact an act entitled an act to provide a road law for Campbell county, approved March 5, 1900, providing and regulating a road board for said county, and directing the disbursement of the county's road fund," approved April 2, 1902, was taken up and referred to the Committee on County, City and Town Organization.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, was taken up and referred to the Committee on County, City and Town Organization.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, without amendment,

No. 12, House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Vir-

ginia; to prohibit all persons, firms or corporations to sell, barter and exchange such liquor in said town, and to repeal all laws in conflict with this act, so far as they apply to said town.

Mr. OPIE, from the Committee on County, City and Town Organization, reported, with a substitute,

No. 8, Senate bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol.

And he, from the same committee, reported, without amendment,

No. 9, House bill to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th of June, 1903, for the purpose of issuing bonds of the town for macadamizing streets and other town improvements and indebtedness.

Mr. WALKER, by leave, presented

No. 62, A bill to prohibit any persons, not a resident of this State, becoming a stockholder in any corporation chartered under the laws of this State for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound-net, purse-net, fyke or weir in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. REVERCOMB, by leave, presented

No. 63, A bill prescribing the manner in which courts shall hear chancery causes, and directing the manner in which the evidence in such causes shall be taken, and providing for trial by jury of any question of fact in such causes.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. CAMPBELL, by leave, presented

No. 64, A bill to amend and re-enact the second clause of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903.

On his motion, the bill being partially read, it was referred to the Committee for Finance and Banks.

Mr. REVERCOMB, by leave, presented

No. 65, A bill to amend and re-enact section 1258 of the Code of Virginia of 1887, as amended by an act approved February 15, 1900, entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 1258 of the Code of Virginia of 1887 in relation to railroad companies enclosing their road-beds with fences and erecting cattle-guards, approved February 9, 1898; and to prescribe a penalty on any railroad company which fails to enclose its road-

bed with a fence, after notice from the owner or tenant of any land through which such railroad passes requesting the same to be enclosed with a fence, and prescribing the way in which such penalty may be enforced.

On his motion, the bill being partially read, it was referred to the Committee on Roads and Internal Navigation.

Mr. PATTESON, by leave (by request), presented

No. 66, A bill to amend the existing game laws in Virginia, as far as they apply to Buckingham county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. PATTESON, by leave, presented

No. 67, A bill to abolish demurrers to evidence in Virginia.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. HARMAN (J. N.), by leave, presented

No. 68, A bill to amend and re-enact an act entitled an act to authorize the Governor to grant conditional pardons to persons confined in the penitentiary upon recommendation of the board of directors of said institution, approved March 3, 1898, as amended by an act approved February 3, 1900, as amended by an act approved May 1, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. HARMAN (J. N.), by leave, presented

No. 69, A bill to amend and re-enact section 64 of an act to repeal sections 63 and 66, and to amend and re-enact certain other sections of chapter 8 of the Code of Virginia, as amended by an act approved December 8, 1903, in relation to appointment of judges and clerks of election.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. SALE, by leave, presented

No. 70, A bill authorizing the judges of the circuit courts in cities of the first class, having over 40,000 population and a separate clerk for said Circuit Court, to make an annual allowance for such clerk, payable out of the treasury of said city.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SALE, by leave, presented

No. 71, A bill to amend and re-enact an act entitled "an act to regulate the probate of wills, the appointment of appraisers of the estates of decedents, and appointment and qualification of personal representatives, guardians, curators and committees by the clerks of the circuit courts," approved May 15, 1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. RISON, by leave, presented

No. 72, A bill to amend and re-enact that portion of an act entitled an act to repeal sections 3063, 3065 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended, approved December 26, 1903, which fixes the term of court for the seventh judicial circuit.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. RISON moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, J. N. Harman, Machen, Mann, Noel, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham—24.

NAYS—None.

Mr. RISON moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Greear, J. N. Harman, Mann, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace, and Wickham—23.

NAYS—None.

Mr. ANDERSON, by leave (by request), presented

No. 73, A bill to amend and re-enact sections 249, 253, 254, 255, 258, 259 and 260 of the Code of Virginia, and acts amendatory thereof, in relation to the duties of the Secretary of the Commonwealth and board of directors of the State Library, concerning the State and certain other libraries.

On his motion, the bill being partially read, it was referred to the Committee on Library.

Mr. BRYANT, by leave, presented

No. 74, A bill to give to non-resident laboring men, who are house-

holders, the right to plea in any proceedings in the courts or before the justices of the peace of this State, the exemption allowed by section 3652 of the Code of Virginia.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

The PRESIDENT appointed Mr. A. C. HARMAN on the Penitentiary Commission, to fill the unexpired term of Mr. Cogbill, resigned.

No. 51, Senate bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments, and other erections, and authorizing cemetery companies, or trustees holding title to cemeteries or burial grounds, to take and hold any property according to the terms of the grant, bequest, devise or gift, with committee amendment, was taken up, read the second time, and committee amendment adopted.

Mr. PHLEGAR offered an amendment, which was adopted.

The bill was then ordered to be engrossed and read a third time.

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's Mansion, the State Library building and the State Capitol, and to permit the removal of the heat and power plants now in said building, was taken up and read the first time.

No. 22, Senate bill to release the title of the Commonwealth of Virginia and the counties and cities thereof to all real estate purchased at tax sales prior to the year 1898 and now held by them, was taken up and read the first time.

On motion of Mr. WALKER, the Senate adjourned until Monday next at 12 o'clock.

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### MONDAY, FEBRUARY 1, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Journal of Saturday read by the Clerk.

Mr. OPIE, from the Committee on Courts of Justice, reported, without amendment,

No. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation upon reasonable notice.

He, from the same committee, reported, without amendment,

No. 62, Senate bill to prohibit any person, not a resident of this State, becoming a stockholder in any corporation chartered under the laws of this State for the purpose of taking, catching or planting

oysters therein, or for the purpose of catching fish with a pound-net, purse-net, fyke or weir in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act.

He, from the same committee, reported, without amendment,

No. 70, Senate bill authorizing the judges of circuit courts in cities of the first class, having over forty thousand population and a separate clerk for said Circuit Court, to make an annual allowance for such clerk, payable out of the treasury of said city.

He, from the same committee, reported, without amendment,

No. 71, Senate bill to amend and re-enact an act entitled "an act to regulate the probate of wills, the appointment of appraisers of the estates of decedents and appointment and qualification of personal representatives, guardians, curators and committees by the clerks of circuit courts," approved May 15, 1903.

On motion of Mr. WICKHAM, three days' leave of absence was granted Mr. SHACKELFORD.

On motion of Mr. NOEL, five days' leave of absence was granted Mr. REVERCOMB.

On motion of Mr. OPIE, two days' leave of absence was granted the Doorkeeper, Mr. Donald.

Mr. NOEL, by leave, presented

No. 75, A bill to amend and re-enact an act approved February 17, 1898, entitled "an act to authorize the sale of an estate, real or personal, given by deed or will to a person for life, with a vested remainder to another, whether the vested remainderman be an infant or adult," so as to authorize the sale of an estate, real or personal, heretofore or hereafter given, granted, conveyed or devised by deed or will for life, with a remainder over, either vested or contingent, and to provide further for the sale or leasing of the coal, oil, gas and minerals, or either of them, in cases where such estate is real property, whether the vested remainderman, or the persons in being and contingently interested, be infants or adults.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. GREER, by leave (by request), presented

No. 76, A bill authorizing the board of supervisors of Patrick and Grayson counties to levy a capitation tax for school or other county purposes.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. CHAPMAN, by leave, presented

No. 77, A bill to amend and re-enact section 2458 of the Code of Virginia in relation to fraudulent conveyances.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. OPIE, by leave, presented

No. 78, A bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PATTESON, by leave, presented

No. 79, A bill for the relief of W. C. Franklin.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. WALLACE, by leave, presented

No. 80, A bill to amend and re-enact section 1437 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact chapter 66 of the Code of Virginia, relating to public free schools for counties and to the literary fund.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

No. 51, Senate bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments and other erections, and authorizing cemetery companies, or trustees holding title to cemeteries or burial grounds, to take and hold any property according to the terms of the grant, bequest, devise or gift, was taken up, read the third time and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Fulton, Greear, A. C. Harman, J. N. Harman, Machen, Mann, Noel Opie, Patteson, Rison, Sadler, Tavenner, Turner, Walker, Wallace, and Wickham—21.

NAYS—None.

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's Mansion, the State Library building and the State Capitol, and to permit the removal of the heat and power plants now in said building, with committee amendment, was taken up, read the second time, committee amendment adopted, ordered to be engrossed, and read a third time.

No. 9, House bill to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th of June, 1903, for the purpose of issuing bonds of the town for macadam-



izing streets and other town improvements and indebtedness, was taken up and read the first time.

No. 8, Senate bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol, was taken up and read the first time.

On motion of Mr. CHAPMAN, the Senate adjourned until to-morrow at 12 o'clock.

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TUESDAY, FEBRUARY 2, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 1, 1904.*

The House of Delegates has passed Senate bills entitled an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 16, 1903, entitled an act to raise revenue for the support of the government and public free schools and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, No. 59; an act to authorize the district school board of Blacksburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blacksburg, and to provide for the payment thereof, No. 12; an act providing for additional term of the Circuit Court in the city of Norfolk, No. 49; an act to amend and re-enact section 4 of the Code of Virginia, as amended by chapter 340 of the Acts of 1903-4, relating to the time statutes take effect, and the publication thereof, No. 55.

They have passed House bills entitled an act to authorize the board of supervisors of Bland county to contribute such an amount as it shall deem proper towards the erection of a Confederate monument in the court-house square of said county, No. 27; an act to repeal an act entitled an act for the protection of fish in the waters of North Fork of Holston river, in the county of Scott, approved March 15, 1902, No. 28; an act for the protection of pheasants and other game birds imported for propagation, No. 29; an act to require the owner or owners of steamboat wharves to provide suitable accommodation for the patrons of steamboats using the same, No. 30; an act to provide for working and keeping in repair the roads and bridges in the counties of Sussex and Greenville, and providing what tax

shall be used for keeping the same in order, No. 31; an act to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, No. 34; an act to provide for the payment of contingent and incidental expenses of the General Assembly, and to appropriate money for the same, No. 33; an act to impose a license tax upon gypsies and like strolling companies, No. 34; an act to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, No. 36.

In which they request the concurrence of the Senate.

No. 27, House bill to authorize the board of supervisors of Bland county to contribute such an amount as it shall deem proper towards the erection of a Confederate monument in the court-house square of said county, was taken up and referred to the Committee on County, City and Town Organization.

No. 28, House bill to repeal an act entitled an act for the protection of fish in the waters of North Fork of Holston river, in the county of Scott, approved March 15, 1902, was taken up and referred to the Committee on Fish and Game.

No. 29, House bill for the protection of pheasants and other game birds imported for propagation, was taken up and referred to the Committee on Fish and Game.

No. 30, House bill to require the owner or owners of steamboat wharves to provide thereat suitable accommodations for the patrons of steamboats using the same, was taken up and referred to the Committee on Roads and Internal Navigation.

No. 31, House bill to provide for working and keeping in repair the roads and bridges in the counties of Sussex and Greensville, and providing what tax shall be used for keeping the same in order, was taken up and referred to the Committee on County, City and Town Organization.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, was taken up and referred to the Committee on Public Institutions and Education.

No. 33, House bill to provide for the payment of contingent and incidental expenses of the General Assembly, and to appropriate money for the same, was taken up and referred to the Committee on Finance and Banks.

No. 34, House bill to impose a license tax upon gypsies and like strolling companies, was taken up and referred to the Committee on Finance and Banks.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, was taken up and referred to the Committee on General Laws.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, with amendment,

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia in relation to land books of commissioners of the revenue in the several cities and counties of this State.

He, from the same committee, reported, with amendment,

No. 19, House bill, an act to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890.

Mr. MOLLWAIN, from the Committee on Courts of Justice, reported, without amendments,

No. 60, Senate bill to amend and re-enact sections 2 and 3 of chapter 2, and sections 49 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the Acts of the General Assembly for extra session 1902-03-04.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 49, Senate bill providing for additional terms of the Circuit Court in the city of Norfolk.

No. 55, Senate bill to amend and re-enact section 4 of the Code of Virginia, as amended by chapter 340 of the Acts of 1903-4, relating to time statutes take effect, and the publication thereof.

No. 12, Senate bill to authorize the district school board of Blackburg school district, in Montgomery county, to borrow money for the purpose of erecting and furnishing a school-house in the town of Blackburg, and to provide for the payment thereof.

Mr. BYARS, by leave presented

No. 81, A bill to amend and re-enact section 288 of the Code of Virginia, to prescribe the duties of the Register of the Land Office.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SALE, by leave, presented

No. 82, A bill to amend and re-enact section 2533 of the Code of

Virginia, edition of 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December 12, 1903, entitled an act to amend and re-enact section 2533 of the Code of Virginia, as amended by an act approved March 7, 1894, and to amend and re-enact sections 2534 and 2538 of the Code of Virginia, and to amend section 2547 of the Code of Virginia, as amended by an act approved February 23, 1898, in relation to the jurisdiction of the probate of wills.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

A message was received from the Governor, by his Secretary, as follows:

COMMONWEALTH OF VIRGINIA.

GOVERNOR'S OFFICE,

RICHMOND, VA., *February 2, 1904.*

*To the Senate:*

I hereby appoint, subject to your confirmation, Hon. George C. Bland, of King and Queen county, as a member of the special board of directors of the Eastern State Hospital, to fill the unexpired term of Hon. G. T. Garnett, resigned.

A. J. MONTAGUE.

No. 3, House bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations, having in charge cemeteries containing the graves of Confederate soldiers, was taken up.

Mr. SADLER moved to suspend the operation of Rule 37 as to the bill, which was agreed to.

Mr. SADLER offered an amendment, which was rejected.

Mr. WICKHAM called the pending question, which was agreed to.

The bill was then passed, with its title, by the following vote—yeas, 28; nays, 5.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Gunter, A. C. Harman, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Rison, Sale, Sears, Shands, Tavenner, Turner, Wallace, and Wickham—28.

NAYS—Messrs. Holt, Phlegar, Sadler, Thomas, and Walker—5.

Mr. CHAPMAN, by leave, presented

No. 83, A bill to repeal an act entitled an act to amend and re-enact section 3828 of the Code of Virginia, in relation to the sale of intoxicating liquors to students, approved February 5, 1896, as

amended by an act approved March 3, 1898, and to regulate the sale, barter, giving, or furnishing of spirituous or intoxicating or malt liquors to such minors and students.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

On motion of Mr. WICKHAM, the Senate adjourned until to-morrow at 12 o'clock.

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WEDNESDAY, FEBRUARY 3, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 2, 1904.*

The House of Delegates has passed Senate bills entitled an act to provide for the correction or errors in judgments and proceeding in cases pending or decided in the county courts on or prior to February 1, 1904, and for the disposition of such cases where further proceedings are necessary, No. 25; an act to allow notaries public of this State, under the age of twenty-one years, to sue for fees due them as notaries, No. 45; an act to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903, No. 48.

They have passed, with an amendment, Senate bill entitled an act to amend and re-enact sections 4016 and 4018 of the Code of Virginia, as amended and re-enacted by an act approved January 2, 1904, which is section 553 of the acts of the special session of 1903-1904, concerning the trial of criminal cases and juries therefor, No. 32.

They have passed House bills entitled an act to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor, or surveyors, and making an appropriation for compensation of the same, approved March 28, 1902, No. 23; an act to have plats of oyster planting grounds, endorsed "Abandoned" under certain conditions, and to authorize the renting of such grounds, No. 25; an act to extend the terms of commissioners of accounts and to authorize them to complete such accounts as are now before them for settlement, and return them to their respective circuit courts, No.

37; an act to authorize the board of Handley trustees to invest the money received by them in the purchase of debts which may be secured by lien on property in which the Handley fund may be in whole or in part invested, or to purchase the property itself, which it may be desirable that the Handley trustees should own for the purposes of their trust; to receive from the Handley executors the corpus of the residuum of said estate; to pay all expenses necessarily incident to the duties imposed upon said board by the act approved February 7, 1896, entitled "an act to enable the city of Winchester to accept the bequest of John Handley, deceased, to validate the same, and to provide for the administration thereof," to construe said act as to the corporate powers given and validate all acts of said board not done in accordance with the construction of said act herein given and give said board a corporate name, No. 44.

In which amendments and bills they request the concurrence of the Senate.

No. 32, Senate bill to amend and re-enact sections 4016 and 4018 of the Code of Virginia, and amended and re-enacted by an act approved January 2, 1904, which is section 553 of the acts of the special session of 1903-1904, concerning the trial of criminal cases and juries therefor, with House amendments.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor, or surveyors, and making an appropriation for compensation of the same, approved March 28, 1902, was taken up and referred to the Committee on Fish and Game.

No. 25, House bill to have plats of oyster planting grounds endorsed "Abandoned," under certain conditions, and to authorize the renting of such grounds, was taken up and referred to the Committee on Fish and Game.

No. 37, House bill to extend the terms of commissioners of accounts and to authorize them to complete such accounts as are now before them for settlement, and return them to their respective circuit courts, was taken up and referred to the Committee for Courts of Justice.

No. 44, House bill to authorize the board of Handley trustees to invest money received by them in the purchase of debts which may be secured by lien on property in which the Handley fund may be in whole or in part invested, or to purchase the property itself, which it may be desirable that the Handley trustees should own for purposes of their trust; to receive from the Handley executors the corpus of the residuum of said estate; to pay all expenses necessarily incident to the duties imposed upon said board by the act approved

February 7, 1896, entitled "an act to enable the city of Winchester to accept the bequest of John Handley, deceased, to validate the same, and to provide for the administration thereof," to construe said act as to the corporate powers given, and validate all acts of said board not done in accordance with the construction of said act herein given, and give said board a corporate name, was taken up and referred to the Committee for Courts of Justice.

Mr. TAVENNER moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—30.

NAYS—None.

Mr. TAVENNER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—31.

NAYS—None.

On his further motion, the bill was then passed with its title, by the following vote—yeas, 32; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—32.

NAYS—None.

Mr. TAVENNER moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. BARKSDALE, from the Committee on General Laws, reported, with amendment,

No. 36, House bill to require the owners or lessees of public halls, theatres and opera houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein.

He, from the same committee, reported, with amendments,

No. 19, Senate bill to regulate the sale of cocaine.

Mr. MASSIE, from the Committee on Roads and Internal Navigation, reported, with amendments,

No. 30, House bill to require the owner or owners of steamboat wharves to provide thereat suitable accommodations for the patrons of steamboats using the same.

Mr. OPIE, from the Committee on County, City and Town Organization, reported, without amendment,

No. 16, House bill to amend and re-enact an act approved April 4, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

He, from the same committee, reported, without amendment,

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900.

Mr. MANN, of the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that object of

No. 52, Senate bill to vacate and close certain streets and alleys in the town of Tazewell, in Tazewell county, can be reached by general laws, is provided for by section 2510a, a supplement to Code.

The bill was taken up and referred to the Committee on County, City and Town Organization.

He, of the same committee, also reports that object of

No. 76, Senate bill authorizing the board of supervisors of Patrick and Grayson counties to levy a capitation tax for school or other county purposes, cannot be reached by general laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

He, of the same committee, also reports that object of

No. 43, Senate bill to protect trout in the waters of Wilson District, in Grayson county, cannot be reached by general laws.

The bill was taken up and referred to the Committee on Fish and Game.

He, of the same committee, also reports that object of

No. 79, Senate bill for the relief of W. C. Franklin, cannot be reached by general laws.

The bill was taken up and referred to the Committee on Finance and Banks.



And he, of the same committee, also reports that object of No. 66, Senate bill to amend the existing game laws in Virginia, as far as they apply to Buckingham county, can be reached by general laws.

The bill was taken up and referred to the Committee on Fish and Game.

Mr. THOMAS rose to a question of personal privilege, and made the following statement:

Mr. PRESIDENT, I rise to a question of personal privilege. I desire to express the deep regret that I feel at not having been able, on account of sickness, to be here last week to offer the name of my distinguished fellow-citizen, the Hon. John W. Daniel, as candidate for the United States Senate, and I wish also to express my appreciation of the kindness of the two gentlemen who did the needful in my absence in a manner so able that it reflected honor upon them, and placed me under lasting obligations.

Messrs. SALE and HOLT, by leave, presented

No. 84, To amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the appointment of representatives in Congress, approved February 15, 1892.

On motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. SHANDS, by leave, presented

No. 85, A bill to amend and re-enact section 14 of chapter 1 of an act entitled "an act concerning corporations," which became a law May 21, 1903, as amended by an act approved December 12, 1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR, by leave, presented

No. 86, A bill to appropriate the sum of \$200,000 to provide buildings, equipment and improvement for the Virginia Polytechnic Institute.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. THOMAS, by leave (by request), presented

No. 87, A bill to amend and re-enact an act approved March 5, 1888, entitled an act providing for the sub-division of tracts of land into lots or parcels, and for the record of plats thereof.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MANN presented the following joint resolution:

Resolved by the Senate (the House of Delegates concurring), That

the General Assembly do proceed this day at 1 o'clock P. M. to the election of a judge for the Fourth Judicial Circuit, occasioned by the death of the Hon. Beverly A. Hancock, which was taken up and agreed to, and he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. WATSON, who informed the Senate that that House had agreed to the joint resolution having for its object the election of a judge for the Fourth Judicial Circuit.

No. 72, Senate bill to amend and re-enact that portion of an act entitled an act to repeal sections 3036, 3065 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended, approved December 26, 1903, which fixes the term of court for the Seventh Judicial Circuit, was taken up, and, on motion of Mr. RISON, indefinitely postponed.

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's Mansion, the State Library building and the State Capitol, and to permit the removal of the heat and power plants now in said building, was taken up, read the third time, and, on motion of Mr. FULTON, the bill was passed by until Saturday, February 6, 1904.

No. 9, House bill to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th of June, 1903, for the purpose of issuing bonds of the town for macadamizing streets and other town improvements and indebtedness, was taken up.

Mr. BARKSDALE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, none.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keesell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—32.

**NAYS**—None.

On his further motion the bill was then passed with its title by the following vote—yeas, 32; nays, none.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt,

Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—32.

NAYS—None.

Mr. BARKSDALE moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. BARKSDALE, by leave, presented

No. 88, A bill to amend and re-enact an act entitled "an act to amend section 613 of chapter 27 of the Code of Virginia, entitled 'collection of taxes,' approved April 2, 1902."

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 22, Senate bill to release the title of the Commonwealth of Virginia, and the counties and cities thereof, to all real estate purchased at tax sales prior to the year 1898 and now held by them, with committee substitute, was taken up, read the second time, committee substitute adopted, ordered to be engrossed and read a third time.

Mr. NOEL moved to reconsider the vote by which the bill was engrossed, which was agreed to.

Mr. PHLEGAR offered an amendment, which was adopted.

On motion of Mr. SHANDS, the bill, as amended, was ordered printed and passed by.

The hour of 1 o'clock P. M. having arrived—

Mr. MANN was ordered to inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order of the day, having for its object the election of a judge for the Fourth Judicial Circuit.

A message was received from the House of Delegates by Mr. WATSON, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day, having for its object the election of a judge of the Fourth Judicial Circuit.

Mr. McILWAINE nominated Walter A. Watson for judge of the Fourth Judicial Circuit, and he was ordered to inform the House of Delegates that the only name before the Senate for judge of the Fourth Judicial Circuit is that of Walter A. Watson.

A message was received from the House of Delegates by Mr. LEE, who informed the Senate that the only name before that House for judge of the Fourth Judicial Circuit was that of Walter A. Watson.

The roll was called, with the following result:

For Walter A. Watson - - - - 32

The Senators who voted for WALTER A. WATSON are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter,

A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tannenr, Thomas, Turner, Wallace, and Wickham—32.

The PRESIDENT appointed Messrs. WALLACE and RISON as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint vote, who, through their chairman, reported:

For Judge of the Fourth Judicial Circuit—

Whole number of votes cast	-	-	-	113
Necessary to a choice	-	-	-	57
Of which Walter A. Watson received	-	-	-	113

Walter A. Watson, having received all the votes cast, was declared duly elected judge of the Fourth Judicial Circuit, to fill the vacancy caused by the death of the Hon. Beverly A. Hancock.

Mr. BRYANT, by leave, presented

No. 89, A bill to amend and re-enact section 3532 of the Code of Virginia, as amended and re-enacted by an act approved February 24, 1890, as amended and re-enacted by an act approved March 4, 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. McILWAINE, by leave, presented

No. 90, A bill to establish a general road fund for the permanent improvement of roads and bridges; to create a road fund for Dinwiddie county and to provide for the appointment of a county superintendent of roads.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 48, Senate bill to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903.

No. 25, Senate bill to provide for the correction of errors in judgments and proceedings in cases pending or decided in the county courts on or prior to February 1, 1904, and for the disposition of such cases, where further proceedings are necessary.

Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—32.

NAYS—None.

Mr. BARKSDALE moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. BARKSDALE, by leave, presented

No. 88, A bill to amend and re-enact an act entitled "an act to amend section 613 of chapter 27 of the Code of Virginia, entitled 'collection of taxes,' approved April 2, 1902."

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 22, Senate bill to release the title of the Commonwealth of Virginia, and the counties and cities thereof, to all real estate purchased at tax sales prior to the year 1898 and now held by them, with committee substitute, was taken up, read the second time, committee substitute adopted, ordered to be engrossed and read a third time.

Mr. NOEL moved to reconsider the vote by which the bill was engrossed, which was agreed to.

Mr. PHLEGAR offered an amendment, which was adopted.

On motion of Mr. SHANDS, the bill, as amended, was ordered printed and passed by.

The hour of 1 o'clock P. M. having arrived—

Mr. MANN was ordered to inform the House of Delegates that the Senate was ready on its part to proceed to the execution of the joint order of the day, having for its object the election of a judge for the Fourth Judicial Circuit.

A message was received from the House of Delegates by Mr. WATSON, who informed the Senate that that House was ready on its part to proceed to the execution of the joint order of the day, having for its object the election of a judge of the Fourth Judicial Circuit.

Mr. McILWAINE nominated Walter A. Watson for judge of the Fourth Judicial Circuit, and he was ordered to inform the House of Delegates that the only name before the Senate for judge of the Fourth Judicial Circuit is that of Walter A. Watson.

A message was received from the House of Delegates by Mr. LEE, who informed the Senate that the only name before that House for judge of the Fourth Judicial Circuit was that of Walter A. Watson.

The roll was called, with the following result:

For Walter A. Watson - - - - 32

The Senators who voted for WALTER A. WATSON are—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter,

A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tannenr, Thomas, Turner, Wallace, and Wickham—32.

The PRESIDENT appointed Messrs. WALLACE and RISON as a committee on the part of the Senate to meet a similar committee on the part of the House of Delegates and count the joint vote, who, through their chairman, reported:

For Judge of the Fourth Judicial Circuit—

Whole number of votes cast	-	-	-	113
Necessary to a choice	-	-	-	57
Of which Walter A. Watson received	-	-		113

Walter A. Watson, having received all the votes cast, was declared duly elected judge of the Fourth Judicial Circuit, to fill the vacancy caused by the death of the Hon. Beverly A. Hancock.

Mr. BRYANT, by leave, presented

No. 89, A bill to amend and re-enact section 3532 of the Code of Virginia, as amended and re-enacted by an act approved February 24, 1890, as amended and re-enacted by an act approved March 4, 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MOLLWAINE, by leave, presented

No. 90, A bill to establish a general road fund for the permanent improvement of roads and bridges; to create a road fund for Dinwiddie county and to provide for the appointment of a county superintendent of roads.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 48, Senate bill to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903.

No. 25, Senate bill to provide for the correction of errors in judgments and proceedings in cases pending or decided in the county courts on or prior to February 1, 1904, and for the disposition of such cases, where further proceedings are necessary.

No. 45, Senate bill to allow notaries public for this State, under the age of twenty-one years, to sue for fees due them as notaries.

On motion of Mr. BARKSDALE, the Senate adjourned until to-morrow at 12 o'clock.

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THURSDAY, FEBRUARY 4, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. George Cooper.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In the House of Delegates, February 3, 1904.*

The House of Delegates has agreed to the amendment proposed by the Senate to House bill entitled an act to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers, No. 3.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, with amendments,

No. 4, House bill to amend and re-enact section 2967, Code of Virginia, in relation to attachments.

He, from the same committee, reported, with amendment,

No. 82, Senate bill to amend and re-enact section 2533 of the Code of Virginia, edition of 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December 12, 1903, entitled an act to amend and re-enact section 2533 of the Code of Virginia, as amended by an act approved March 7, 1894, and to amend and re-enact sections 2534 and 2538 of the Code of Virginia, and to amend section 2547 of the Code of Virginia, as amended by an act approved February 23, 1898, in relation to the jurisdiction of the probate of wills.

He, from the same committee, reported, without amendment,

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894.

Mr. KEEZELL, by leave, presented

No. 91, A bill to provide for the establishment and enlargement of libraries in public schools of the rural districts.

On his motion, the bill being partially read, it was referred to the committee on Public Institutions and Education.

Mr. PHLEGAR, by leave, presented

No. 92, A bill to authorize the city of Roanoke to donate or sell real estate owned by it to any State institution.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. PHLEGAR, by leave, presented

No. 93, A bill to amend and re-enact an act approved December 10, 1903, entitled "an act vesting in the circuit courts of this Commonwealth, and in the judges thereof, the jurisdiction and powers now vested in and exercised by and duties imposed upon the county courts, or the judges thereof under the laws of this State, or under any will or writing," which is chapter 401 of the Acts of the special session, 1902-1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. McILWAINE moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keesell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—31.

NAYS—None.

Mr. McILWAINE moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keesell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Wallace, and Wickham—30.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 27; nays, none.



Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Greear, Gunter, J. N. Harman, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Wallace, and Wickham—27.

**NAYS**—None.

On motion of Mr. PHLEGAR, he was ordered to inform the House of Delegates thereof.

Mr. MANN, by leave, presented

No. 94, A bill to appropriate the sum of \$60,000 to add to and improve the building of the State Female Normal School, at Farmville, and to increase the annual appropriation to said school from \$25,000 to \$30,000.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. MANN, by leave, presented

No. 95, A bill to prohibit a dispensary election from being held in any city, town, county or district until the expiration of two years from the date of a previous election for said purpose.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SALE, by leave, presented

No. 96, A bill to provide for lists of all persons who have paid their State poll taxes and for posting the same, and for providing compensation therefor.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. CHAPMAN, by leave (by request), presented

No. 97, A bill to amend and re-enact section 3455 of the Code of Virginia, as amended by an act of the General Assembly approved January 18, 1888, as amended by an act of the General Assembly approved December 31, 1903, and section 3475 of chapter 170 of the Code of Virginia.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SEARS, by leave, presented

No. 98, A bill to amend and re-enact section 1498 of the Code of Virginia, in relation to intermediate grades of instruction in public free schools, as amended and re-enacted by an act approved December 28, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. J. N. HARMAN, by leave, presented

No. 99, A bill to amend and re-enact an act entitled an act to

amend and re-enact section 3154 of the Code of Virginia, as amended by an act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MACHEN, by leave, presented

No. 100, A bill to provide for taking the depositions of female witnesses in cases of rape and attempted rape.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bill, which has been passed by both houses of the General Assembly and duly enrolled, the title of said bill having been publicly read:

No. 3, House bill to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia in relation to land books of commissioners of the revenue in the several counties and cities in this State, was taken up and read the first time.

No. 19, House bill to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890, was taken up and read the first time.

No. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation upon reasonable notice, was taken up and read the first time.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, was taken up and read the first time.

No. 30, House bill to require the owner or owners of steamboat wharves to provide thereat suitable accommodations for the patrons of steamboats using the same.

Was taken up, read the first time, and on motion of Mr. MASSIE, recommitted to the Committee on Roads and Internal Navigation.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, was taken up and read the first time.

No. 22, Senate bill to release the title of the Commonwealth of

Virginia and the counties and cities thereof to all real estate purchased at tax sales prior to the year 1898 and now held by them.

Was taken up, and on motion of Mr. PHLEGAR, made the special and continuing order of the day for Wednesday, February 10, 1904, at 12:30 o'clock P. M.

No. 8, Senate bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol, with committee amendments, was taken up, read the second time, committee amendments adopted, ordered to be engrossed, and read a third time.

No. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation upon reasonable notice, was taken up and read the first time.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound net, purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act, was taken up and read the first time.

No. 70, Senate bill authorizing the judges of circuit courts in cities of the first class having over 40,000 population and a separate clerk for said circuit court to make an annual allowance for such clerk, payable out of the treasury of said city, was taken up and read the first time.

No. 71, Senate bill to amend and re-enact an act entitled "an act to regulate the probate of wills, the appointment of appraisers of the estates of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of circuit courts," approved May 15, 1903, was taken up and read the first time.

No. 60, Senate bill to amend and re-enact sections 2 and 3 of chapter 2 and sections 40 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the Acts of the General Assembly for extra session 1902-'03-'04, was taken up and read the first time.

No. 19, Senate bill to regulate the sale of cocaine, was taken up and read the first time.

On motion of Mr. BARKSDALE, the Senate adjourned until tomorrow at 12 o'clock.

FRIDAY, FEBRUARY 5, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. George Cooper.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In the House of Delegates, February 4, 1904.*

The House of Delegates has passed House bill entitled an act to provide for the establishment, proper construction, and permanent improvement of the public roads and landings, for building and keeping in good order and repair of all public roads, bridges, causeways, and wharves in the several counties in this State, No. 6.

In which they request the concurrence of the Senate.

No. 6, House bill to provide for the establishment, proper construction, and permanent improvement of the public roads and landings, for building and keeping in good order and repair of all public roads, bridges, causeways, and wharves in the State of Virginia, was taken up, read the first time, and referred to the Committee on County, City and Town Organization.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, without amendment,

No. 33, House bill to provide for the payment of contingent and incidental expenses of the General Assembly, and to appropriate money for the same.

Mr. WICKHAM moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Kezell, Machen, Mann, Massie, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, and Wickham—31.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 31; nays, none.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Keezell, Machen, Mann, Massie, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, and Wickham—31.

**NAYS**—None.

Mr. WICKHAM moved to reconsider the vote by which the bill was passed, which was rejected.

He also reported, from same committee, without amendment,

No. 34, House bill to impose a license tax upon gypsies and like strolling companies.

He also reported, from same committee, with amendments,

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c.

On motion of Mr. ANDERSON, the bill, with the amendments, was ordered printed.

Mr. McILWAINE, by leave, presented

No. 101, A bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. OPIE, from the Committee for Courts of Justice, reported, without amendment,

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases.

Mr. BYARS, by leave, presented

No. 102, A bill to amend and re-enact sections 2599, 2600, 2601 and 2602, as amended by an act approved January 2, 1904, providing for the appointment of guardians by the judges of circuit and corporation courts.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR, by leave, presented

No. 103, A bill to amend and re-enact section 3768 of the Code of Virginia, as amended by an act approved February 26, 1898, which is chapter 513 of the Acts of 1897-98.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MANN, by leave, presented

No. 104, A bill to provide for evidence of the prepayment of State poll taxes by voters transferred from one city or county to another city or county.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia, in relation to land books of commissioners of the revenue in the several counties and cities in this State, with committee amendment, was taken up, read the second time, and committee amendment adopted.

No. 32, Senate bill to amend and re-enact sections 4016 and 4018 of the Code of Virginia, and amended and re-enacted by an act approved January 2, 1904, which is section 553 of the Acts of the special session of 1903-1904, concerning the trial of criminal cases and juries therefor, with House amendments.

Was taken up, and on motion of Mr. PHLEGAR, the Senate concurred in House amendments, by the following votes—yeas, 30; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Machen, Mann, Massie, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, and Wickham—30.

NAYS—None.

No. 8, Senate bill to amend and re-enact an act entitled an act to provide a new charter for the city of Bristol, was taken up, read the third time, and passed with its title by the following vote—yeas, 31; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, A. C. Harman, J. N. Harman, Hobbs, Holt, Kezell, Machen, Mann, Massie, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, and Turner—31.

NAYS—None.

No. 19, House bill to amend and re-enact section 504 of the

Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890, with committee amendment, was taken up, read the second time; and committee amendment adopted.

No. 16, House bill to amend and re-enact an act approved April 4, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, was taken up and read the second time.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, was taken up and read the second time.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, with committee amendment, was taken up and read the second time.

Mr. THOMAS presented the following resolution:

Resolved, That the Auditor of Public Accounts be, and he is hereby, requested to furnish to the Senate an itemized estimate:

First. Of the probable receipts of the State of Virginia, based upon the laws now in force, for the fiscal years ending the 30th of September, 1904, and the 30th of September, 1905, respectively, including in said estimate an estimate, from the best sources he can obtain, of what will be received through the State Corporation Commission from the franchise tax and registration fees of corporations; and including, also, any extraordinary receipts which will come into the treasury during said two years, and which will not likely come into the treasury thereafter; and,

Second. Of the expenses of the State of Virginia for the said two fiscal years, based upon the laws now in force, indicating separately the school expenses from general expenses; and, also, accompanying said estimate with an itemized statement showing the details of the salary account of the officers and employees of the government.

Which was taken up and adopted.

No. 4, House bill to amend and re-enact section 2967, Code of Virginia, in relation to attachments, with committee amendments, was taken up, read the second time, and committee amendments adopted.

Mr. TAVENNER, by leave, presented

No. 105, A bill to authorize the town of Strasburg to issue bonds not liable to corporation taxation, and to borrow money for the purpose of establishing water-works for said town and for other purposes.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation upon reasonable notice, was taken up, read the second time, ordered to be engrossed, and read a third time.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound net, purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act, was taken up and read the second time.

Mr. KEEZELL offered an amendment.

On motion of Mr. SEARS, the bill was passed by.

No. 70, Senate bill authorizing the judges of circuit courts in cities of the first class having over 40,000 population and a separate clerk for said circuit court to make an annual allowance for such clerk, payable out of the treasury of said city, was taken up, read the second time, ordered to be engrossed, and read a third time.

No. 71, Senate bill to amend and re-enact and act entitled "an act to regulate the probate of wills, the appointment of appraisers of the estates of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of circuit courts," approved May 15, 1903, was taken up and read the second time.

Mr. BYARS offered an amendment.

Mr. SHANDS offered an amendment.

On motion of Mr. BYARS, the bill was recommitted to the Committee for Courts of Justice.

No. 60, Senate bill to amend and re-enact sections 2 and 3 of chapter 2 and sections 40 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the Acts of the General Assembly for extra session 1902-'03-'04, was taken up, read the second time, ordered to be engrossed, and read a third time.

No. 19, Senate bill to regulate the sale of cocaine, with committee amendments, was taken up, read the second time, committee amendments adopted, ordered to be engrossed, and read a third time.

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorcees," approved February 23, 1894, was taken up and read the first time.



No. 82, Senate bill to amend and re-enact section 2533 of the Code of Virginia, edition of 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December 12, 1903, entitled an act to amend and re-enact section 2533 of the Code of Virginia, as amended by an act approved March 7, 1894, and to amend and re-enact sections 2534 and 2538 of the Code of Virginia, and to amend section 2547 of the Code of Virginia, as amended by an act approved February 23, 1898, in relation to the jurisdiction of the probate of wills, was taken up and on motion of Mr. SALE, the bill was recommitted to the Committee for Courts of Justice.

On motion of Mr. WICKHAM, the Senate adjourned until to-morrow at 12 o'clock.

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SATURDAY, FEBRUARY 6, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. George Cooper.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 5, 1904.*

The House of Delegates has passed House bills entitled an act to amend and re-enact section 847 of the Code of Virginia of 1887, and so much of an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code," approved December 31, 1903, as relates to said section 847 of the Code, No. 26: an act to amend and re-enact subdivision B of section 8 of an act approved December 21, 1901, entitled an act to incorporate the town of Fries, in Grayson county, Virginia, as amended by an act approved March 29, 1902, No. 38.

In which they request the concurrence of the Senate.

No. 26, House bill to amend and re-enact section 847 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code," approved December 31, 1903, was taken up and referred to the Committee on County, City and Town Organization.

No. 38, House bill to amend and re-enact subdivision B of section 8 of an act approved December 21, 1901, entitled "an act to in-

corporate the town of Fries, in Grayson county, Virginia, as amended by an act approved March 29, 1902, was taken up and referred to the Committee on County, City and Town Organization.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 9, House bill to legalize an election held in the corporation of Chase City, Mecklenburg county, Virginia, on the 9th day of June, 1903, for the purpose of issuing bonds of the town for macadamizing streets and other town improvements and indebtedness.

No. 33, House bill to provide for the payment of contingent and incidental expenses of the General Assembly and appropriate money for the same.

No. 44, House bill to authorize the board of Handley trustees to invest the money received by them in the purchase of debts which may be secured by lien on property in which the Handley fund may be in whole or in part invested, or to purchase the property itself, which it may be desirable that the Handley trustees should own for the purposes of their trust; to receive from the Handley executors the corpus of the residuum of said estate; to pay all expenses necessarily incident to the duties imposed upon said board by the act approved February 7, 1896, entitled "an act to enable the city of Winchester to accept the bequest of John Handley, deceased, to validate the same and to provide for the administration thereof," to construe said act as to the corporate powers given, and validate all acts of said board not done in accordance with the construction of said act herein given and give said board a corporate name.

Mr. KEEZELL, from Committee on Public Institutions and Education, reported, without amendment,

No. 32, House bill "to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof."

Mr. CHAPMAN, by leave, presented

No. 106, A bill to amend and re-enact the first section of an act entitled an act to incorporate the Greene Humane Society and for other purposes, passed March 15, 1851, approved March 29, 1875.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SHACKELFORD, by leave, presented

No. 107, A bill in relation to fish ladders on the Rapidan river, between the counties of Culpeper, Orange and Madison.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SHACKELFORD, by leave, presented

No. 108, A bill to require any person, firm or corporation employing large bodies of laborers to have them regularly inspected by the board of health of the counties in which they are located.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. BYARS, by leave, presented

No. 109, A bill to amend, revise and re-enact sections 19, 26 and 28 of the charter of the town of Pocahontas, in Tazewell county, Virginia.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. THOMAS presented a petition from certain members of the Retail Merchants' Association of Lynchburg, Va., in relation to a bill repealing and re-enacting section 3652 of the Code of Virginia exempting certain wages of wage-earner.

Which was referred to the Committee for Courts of Justice.

On motion of Mr. PHLEGAR, two days' leave of absence was granted Mr. HOLT.

On motion of Mr. TAVENNER, two days' leave of absence was granted Mr. BARKSDALE.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia, in relation to land books of commissioners of the revenue in the several counties and cities in this State, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Ople, Phlegar, Sadler, Sale, Tavenner, and Thomas—21.

NAYS—None.

No. 19, House bill to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Patteson, Phlegar, Sale, Shands, Tavenner, and Thomas—21.

**NAYS**—None.

No. 16, House bill to amend and re-enact an act approved April 4, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, was taken up, read the third time, and passed with its title by the following vote—yeas, 21 ; nays, none.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Ople, Patteson, Phlegar, Sale, Shands, Tavenner, and Thomas—21.

**NAYS**—None.

No. 4, House bill to amend and re-enact section 2967, Code of Virginia, in relation to attachments, was taken up, read the third time, and passed with its title by the following vote—yeas, 22 ; nays, none.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Ople, Patteson, Phlegar, Sale, Shands, Tavenner, and Thomas—22.

**NAYS**—None.

No. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear testimony and quash attachments in vacation upon reasonable notice, was taken up, read the third time, and passed with its title by the following vote—yeas, 22 ; nays, none.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Ople, Patteson, Phlegar, Sale, Shands, Tavenner, and Thomas—22.

**NAYS**—None.

No. 70, Senate bill authorizing the judges of circuit courts in cities of the first class having over 40,000 population and a separate clerk for said Circuit Court to make an annual allowance for such clerk, payable out of the treasury of said city, was taken up, read the third time, and passed with its title by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Noel, Ople, Patteson, Phlegar, Sale, Shands, Tavenner, Thomas, and Wickham—23.

NAYS—None.

No. 60, Senate bill to amend and re-enact sections 2 and 3 of chapter 2 and sections 40 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the acts of the General Assembly for extra session 1902-'03-'04, was taken up, read the third time, and passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Keezell, Machen, Mann, Massie, Noel, Phlegar, Sale, Shands, Tavenner, Thomas, and Wickham—22.

NAYS—None.

No. 19, Senate bill to regulate the sale of cocaine, was taken up, read the third time, and passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, Noel, Patteson, Phlegar, Sale, Shands, Tavenner, Thomas, and Wickham—22.

NAYS—None.

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's Mansion, the State Library Building and the State Capitol, and to permit the removal of the heat and power plants now in said building, was taken up, and on motion of Mr. ANDERSON, passed by until Friday, February 12, 1904.

No. 34, House bill to impose a license tax upon gypsies and like strolling companies, was taken up and read the first time.

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894, was taken up and read the first time.

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, was taken up and read the first time.

Mr. PHLEGAR presented the following resolution:

Resolved, That the pages of the Senate shall be subject to the orders of the President and the Sergeant-at-Arms, and that the Sergeant-at-Arms shall see that they report for duty at and remain on duty for such time as their services may be needed, and that all of them are not absent from the Senate Chamber at the same time between one hour before a session begins and fifteen minutes after it closes, and that the mail is taken from the chamber and posted at convenient hours.

Which was adopted.

Mr. PATTESON, by leave, presented

No. 110, A bill to provide for the election of United States Senators by primary elections.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. MANN, from the Committee on Privileges and Elections, reported, with amendments,

No. 96, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, was taken up and read the first time.

On motion of Mr. BYARS, the Senate adjourned until Monday next at 12 o'clock.

MONDAY, FEBRUARY 8, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of Saturday read by the clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 6, 1904.*

The House of Delegates has passed Senate bills entitled an act to prescribe the duties of the judges of circuit and corporation courts and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods, No. 1; an act to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments, and other erections, and authorizing cemetery companies or trustees holding title to cemeteries or burial grounds to take and hold any property according to the terms of the grant, bequest, devise or gift, No. 51; and an act to amend and reenact an act approved December 10, 1903, entitled an act vesting in the circuit courts of this Commonwealth and in the judges thereof the jurisdiction and powers now vested in and exercised by the duties imposed upon the County Court or the judges thereof under the laws of this State or under any will or writing, which is chapter 401 of the Acts of the special session of 1902 and 1903. No. 93.

They have passed, with amendments, Senate bill entitled an act to provide for the protection of the books and other property in the State law library, and to punish any person who shall wilfully remove the same therefrom, or who shall fail to return the same after receiving notice from the librarian, No. 24.

In which they request the concurrence of the Senate.

No. 24, Senate bill to provide for the protection of the books and other property in the State Library and to punish any person who shall wilfully remove the same therefrom or who shall fail to return the same after receiving notice from the librarian, with House amendments.

Mr. OPIE presented the following joint resolution:

"Whereas, the General Assembly of Virginia has heard with profound regret of the terrible disaster which has fallen upon our neighboring city of Baltimore; therefore, be it

Resolved by the Senate (the House of Delegates concurring), That the Legislature of Virginia hereby tenders its heartfelt sympathy to citizens of the city of Baltimore and of the State of Maryland in this their great calamity."

Which was adopted.

And he was ordered to inform the House of Delegates thereof.

Mr. SHANDS, by leave, presented

No. 111, A bill to prevent shooting at or throwing stones or other missiles at or against any train or cars of any railroad or other transportation company, vessel or river craft, and to provide punishment therefor.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SHANDS, by leave, presented

No. 112, A bill to amend and re-enact section 3725 of the Code of Virginia of 1887, with reference to obstructing or injuring canals, railroads or other transportation companies, how punished, as amended by an act entitled an act to amend and re-enact section 3725 of the Code of Virginia of 1887, as amended by an act approved March 3, 1894, and by an act approved March 5, 1896.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. McILWAINE, by leave, presented

No. 113, A bill making it a misdemeanor to desert without just cause or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute or necessitous circumstances, and to provide a penalty therefor.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. HOBBS, by leave, presented

No. 114, A bill to authorize C. H. Gwaltney, W. H. Berryman, George A. Savedge and others to erect a wharf on James river, in in Surry county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. BYARS, by leave, presented

No. 115, A bill to authorize and empower the Council of the town of Pocahontas, Virginia, to sell a strip of eight feet on the east side of Centre street from St. Clair street to what is known as Philadelphia row, in order to straighten said Centre street and make same of uniform width, and to provide that the fund arising from same shall go to the benefit of the public school of the town.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. PHLEGAR, by leave, presented

No. 116, A bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1894, relating to the sale of goods and chattels in certain cases.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MANN presented the following resolution:



Resolved by the Senate, That the Auditor of Public Accounts be, and is hereby, directed to issue his warrants upon the treasury of the State in the aggregate not exceeding the sum of \$2,000, payable out of the funds provided by and in accordance with an act approved February 8, 1904, to cover such contingent and incidental expenses of the Senate as may be certified to him by the Clerk of the Senate and approved by the President of the Senate."

Which was adopted.

On motion of Mr. ANDERSON, three days' leave of absence was granted Mr. WICKHAM.

On motion of Mr. BARKSDALE, five days' leave of absence was granted Mr. MASSIE.

The PRESIDENT laid before the Senate the following communication from the State Board of Education:

STATE BOARD OF EDUCATION.

SECRETARY'S OFFICE,

RICHMOND, VA., *February 8, 1904.*

*To the Honorable the Senate of Virginia:*

GENTLEMEN.—I have the honor to inform you that the State Board of Education has elected William Upshur Kennon as Superintendent of Schools for the county of Powhatan, to fill the vacancy caused by the death of Dr. William H. Hening, which occurred on the 22d day of January, 1904.

Very respectfully,

FRANK P. BRENT.

*Secretary of the State Board of Education.*

No. 34, House bill to impose a license tax upon gypsies and like strolling companies, was taken up and read the second time.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, was taken up and read the first time.

No. 96, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor, was taken up and read the first time.

On motion of Mr. FULTON, the Senate adjourned until to-morrow at 12 o'clock.

TUESDAY, FEBRUARY 9, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 8, 1904.*

The House of Delegates has agreed to Senate joint resolution relating to the Baltimore conflagration.

They have agreed to the amendments proposed by the Senate to House bills entitled an act to amend and re-enact section 2967, Code of Virginia, in relation to attachments, No. 4; an act to amend and re-enact section 458 of the Code of Virginia, in relation to land books of commissioners of the revenue in the several counties and cities in this State, No. 18; and an act to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890, No. 19.

They have passed House bill entitled an act to authorize Brookland school district of Henrico county to borrow \$5,000 and issue bonds therefor, to be used for paying for a school-house at Dumbarton, in said county, No. 48.

In which they request the concurrence of the Senate.

No. 48, House bill to authorize Brookland school district, of Henrico county, to borrow \$5,000 and issue bonds therefor, to be used for paying for a school-house at Dumbarton, in said county, and to do other building, was taken up, read the first time, and referred to the Committee on County and City Organization.

Mr. MANN, by leave (by request), presented

No. 117, A bill to establish a system of county high schools and of normal department to city high schools and to appropriate money therefor.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. McILWAINE, by leave, presented

No. 118, A bill to amend and re-enact sections 1662, 1664, 1665, 1668, 1669, 1672 and 1679 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact sections 1660 to 1712, inclusive, of the Code of Virginia, in relation to State hospitals for the insane, and the commitment of insane persons, approved March 7, 1900, and as further amended and

re-enacted by an act entitled an act to amend and re-enact sections 1662, 1663, 1664, 1665, 1666, 1669, 1670, 1672, 1673, 1674, 1675, 1677, 1679, 1680, 1682, 1684, 1685, 1688, 1697, 1702, 1707 and 1710 of the Code of Virginia of 1887, approved April 7, 1903, and to repeal section 1693 of the Code of Virginia, 1887, as amended and re-enacted by an act approved March 8, 1894, in relation to lunatics and lunatic asylums.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. SHANDS, by leave, presented

No. 119, A bill to amend and re-enact section 3426 of the Code of Virginia of 1887, as amended by Acts of Assembly of 1893-4, page 233, and as further amended by Acts of 1895-6, page 178.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 1, Senate bill to prescribe the duties of the judges of circuit and corporation courts and to fix the compensation of attorneys for the Commonwealth relative to violations of the law prohibiting the sale of adulterated and misbranded foods.

No. 32, Senate bill to amend and re-enact sections 4016 and 4018 of the Code of Virginia, as amended and re-enacted by an act approved January 2, 1904, which is chapter 553 of the Acts of the special session of 1903-1904, concerning the trial of criminal cases and juries therefor.

No. 51, Senate bill to make valid any disposition of property in perpetuity for the maintenance or care of cemeteries, cemetery lots, monuments and other erections, and authorizing cemetery companies or trustees holding title to cemeteries or burial grounds to take and hold any property according to the terms of the grant, bequest, devise or gift.

No. 93, Senate bill to amend and re-enact an act approved December 10, 1903, entitled "an act vesting in the circuit courts of this Commonwealth and in the judges thereof the jurisdiction and powers now vested in and exercised by the duties imposed upon the county courts, or the judges thereof, under the laws of the State or under any will or writing," which is chapter 401 of the Acts of the special session of 1902-1903.

No. 114, Senate bill to authorize C. H. Gwaltney, W. H. Berryman, George A. Savedge and others to erect a wharf on James river, in Surry county, was taken up.

Mr. HOBBS moved that the Joint Committee on Special, Private

and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. Holt, by leave, presented

No. 122, A bill for the issue of \$100,000 of bonds by the city of Newport News for the construction, erection and equipment of an electric light plant for the supplying of lights to said city and also for commercial lighting.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

Mr. Fulton, by leave, presented

No. 123, A bill to authorize the trustees of the Methodist Episcopal Church, South, at Front Royal, Warren county, Virginia, to sell and convey said real estate and reinvest the proceeds.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

No. 24, Senate bill to provide for the protection of the books and other property in the State Library and to punish any person who shall wilfully remove the same therefrom or who shall fail to return the same after receiving notice from the librarian, with House amendments,

Was taken up, and on motion of Mr. Phlegar, the Senate concurred in House amendments by the following vote—yeas, 28; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Noel, Ople, Patteson, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Thomas, Turner, Wallace and Wickham—28.

NAYS—None.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, was taken up, read the third time, and passed with its title by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Noel.

Opie, Patteson, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Thomas and Turner and Wallace—27.

NAYS—None.

No. 36, House bill to require the owners or lessees of public theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, with committee amendments, was taken up, and the committee amendments adopted.

Mr. OPIE offered an amendment, which was adopted.

Mr. ANDERSON offered an amendment, which was adopted.

Mr. BARKSDALE moved to reconsider the vote by which the amendment, offered by Mr. OPIE, was adopted, which was agreed to by the following vote—yeas, 16; nays, 6.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Greear, Hobbs, H. Keezell, Machen, Opie, Phlegar, Rison, Sadler, Sale, Thomas and Turner—16.

NAYS—Messrs. McIlwaine, Noel, Patteson, Shands, Wallace and Wickham—6.

On motion of Mr. SHACKELFORD, the bill was recommitted to the Committee on General Laws.

No. 34, House bill to impose a license tax upon gypsies and strolling companies, was taken up, read the third time, and rejected with its title by the following vote—yeas, 15; nays, 6.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Phlegar, Rison, Sadler, Thomas and Turner—15.

NAYS—Messrs. Byars, McIlwaine, Noel, Patteson, Sale and Wickham—6.

Mr. WICKHAM moved to reconsider the vote by which the bill was rejected.

Mr. BYARS moved to pass the motion by, which was agreed to.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Va., in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, was taken up and read the second time.

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to the

and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. HOLT, by leave, presented

No. 122, A bill for the issue of \$100,000 of bonds by the city of Newport News for the construction, erection and equipment of an electric light plant for the supplying of lights to said city and also for commercial lighting.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

Mr. FULTON, by leave, presented

No. 123, A bill to authorize the trustees of the Methodist Episcopal Church, South, at Front Royal, Warren county, Virginia, to sell and convey said real estate and reinvest the proceeds.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

No. 24, Senate bill to provide for the protection of the books and other property in the State Library and to punish any person who shall wilfully remove the same therefrom or who shall fail to return the same after receiving notice from the librarian, with House amendments,

Was taken up, and on motion of Mr. PHLEGAR, the Senate concurred in House amendments by the following vote—yeas, 28; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Thomas, Turner, Wallace and Wickham—28.

NAYS—None.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900, was taken up, read the third time, and passed with its title by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Noel.

Opie, Patteson, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Thomas Turner and Wallace—27.

NAYS—None.

No. 36, House bill to require the owners or lessees of public halls theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, with committee amendments, was taken up, and the committee amendments adopted.

Mr. OPIE offered an amendment, which was adopted.

Mr. ANDERSON offered an amendment, which was adopted.

Mr. BARKSDALE moved to reconsider the vote by which the amendment, offered by Mr. OPIE, was adopted, which was agreed to by the following vote—yeas, 16; nays, 6.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Greear, Hobbs, Holt, Keezell, Machen, Opie, Phlegar, Rison, Sadler, Sale, Thomas and Turner—16

NAYS—Messrs. McIlwaine, Noel, Patteson, Shands, Wallace and Wickham—6.

On motion of Mr. SHACKELFORD, the bill was recommitted to the Committee on General Laws.

No. 34, House bill to impose a license tax upon gypsies and like strolling companies, was taken up, read the third time, and rejected with its title by the following vote—yeas, 15; nays, 6.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Greear, Gunter, Hobbs, Holt, Keezell, Machen, Phlegar, Rison, Sadler, Thomas and Turner—15

NAYS—Messrs. Byars, McIlwaine, Noel, Patteson, Sale and Wickham—6

Mr. WICKHAM moved to reconsider the vote by which the bill was rejected.

Mr. BYARS moved to pass the motion by, which was agreed to.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Va., in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, was taken up and read the second time.

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to

divorces," approved February 23, 1894, was taken up and read the second time.

Mr. OPIE offered an amendment, which was adopted.

Mr. BYARS offered an amendment, which was rejected.

The bill was then ordered to be engrossed and read a third time.

A message was received from the Governor, by his Secretary, as follows:

COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

RICHMOND, VA., *February 8, 1904.*

*To the Senate:*

I hereby appoint, subject to your confirmation, Mr. W. D. Chesterman, of Richmond, as a member of the Board of Directors of the State Penitentiary, for the term of five years, beginning March 1, 1904.

A. J. MONTAGUE.

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, was taken up, read the second time, ordered to be engrossed, and read a third time.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c., with committee amendments, was taken up.

Mr. THOMAS moved to pass the bill by, which was rejected by the following vote—yeas, 10; nays, 15.

Senators who voted are:

YEAS—Messrs. Byars, Hobbs, Noel, Ople, Patteson, Rison, Sadler, Shands, Thomas and Turner—10.

NAYS—Messrs. Anderson, Barksdale, Campbell, Chapman, Ford, Fulton, Gunter, Holt, Keezell, Machen, Mann, McIlwaine, Phlegar, Sale and Shackelford—15.

The bill was then read the second time, the committee amendments adopted, ordered to be engrossed, and read a third time.

Mr. ANDERSON moved to reconsider the vote by which the bill was engrossed, which was agreed to.

Mr. FULTON offered an amendment, which was adopted.

The bill was then ordered to be engrossed and read a third time.



On motion of Mr. ANDERSON, the bill was made the special and continuing order of the day for Friday, February 12th, at 12:30 o'clock P. M.

Mr. McILWAIN moved to reconsider the vote by which the bill was made the special order for Friday, February 12, 1904, which was agreed to.

On motion of Mr. McILWAIN, the bill was made the special and continuing order for Thursday, February 11, at 12:30 o'clock P. M.

Mr. SALE, by leave, presented

No. 124, Senate bill to encourage manufacturing enterprises located in this State by exempting them from certain forms of taxation.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 96, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor, with committee amendments, was taken up, read the second time, and committee amendments adopted.

On motion of Mr. PHLEGAR, the bill was recommitted to the Committee on Privileges and Elections.

On motion of Mr. SHACKELFORD, the Senate adjourned until tomorrow at 12 o'clock.

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### WEDNESDAY, FEBRUARY 10, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

#### *In House of Delegates, February 9, 1904.*

The House of Delegates has passed House bills entitled an act to provide for official receipts for fines, No. 40; an act to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898, sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900, sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890.

and by an act approved March 5, 1896, and by an act approved February 26, 1900, section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898, sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898, sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897, sections 1221, 1222, 1223, 1225 and 1226, section 1227, as amended by an act approved March 4, 1890, sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894, sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892, sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900, section 1244, section 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898, sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code, relating to works of internal improvement, No. 41; an act to amend and re-enact section 10 of "an act concerning public service corporations, approved January 18, 1904," and providing for the continuance of annual tolls on turnpikes, No. 42; an act construing the term "railroad" and the term "railway" to mean the same thing in law, No. 43; an act to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution," approved April 16, 1903, No. 45; an act to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America; and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor, No. 46; an act to allow the street mileage in the town of Chase City, county of Mecklenburg, Virginia, to be included in mileage of county public roads, and to receive its proratable share of county road levy, No. 50; an act to amend and re-enact section 834 of the Code of Virginia, as amended and re-enacted by an act to amend and re-enact an act entitled an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, so as to allow boards of supervisors to increase the premium on crow scalps, No. 51; an act to authorize the boards of supervisors of counties to contribute such amounts as they shall deem proper towards the erection of Confederate monuments in the court-house squares at the county seats of their counties, No. 52; an act to

amend and re-enact section 20 of an act approved March 5, 1894, entitled an act to amend the charter of the town of Gladesville, in Wise county, No. 53; an act to amend and re-enact section 1 of an act approved March 6, 1900, entitled an act to provide for working, building and keeping in repair the public roads and bridges in Grayson county, No. 60; an act to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898, No. 63; an act authorizing the board of supervisors of Prince William county to issue bonds and appropriate the proceeds thereof to the establishment of a State normal school for girls in said county, No. 70; and an act to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, No. 73.

In which they request the concurrence of the Senate.

No. 40, House bill to provide for official receipts for fines, was taken up and referred to the Committee for Courts of Justice.

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898, sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900, sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 26, 1900, section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898, sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898, sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897, sections 1221, 1222, 1223, 1225 and 1226, section 1227, as amended by an act approved March 4, 1890, sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894, sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892, sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900, section 1244.

section 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898, sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code, relating to works of internal improvement, was taken up and referred to the Committee for Courts of Justice.

No. 42, House bill to amend and re-enact section 10 of an act entitled "an act concerning public service corporations, approved January 18, 1904," and providing for the continuance of annual tolls on turnpikes, was taken up and referred to the Committee on Roads and Internal Navigation.

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law, was taken up and referred to the Committee for Courts of Justice.

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903," was taken up and referred to the Committee on Finance and Banks.

No. 46, House bill to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America, and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor, was taken up and referred to the Committee on Finance and Banks.

No. 50, House bill to allow the street mileage in the town of Chase City, county of Mecklenburg, Virginia, to be included in mileage of county public roads, and to receive its proratable share of county road levy, was taken up and referred to the Committee on County, City and Town Organization.

No. 51, House bill to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up and referred to the Committee on County, City and Town Organization.

No. 52, House bill to authorize the boards of supervisors of counties to contribute such amounts as they shall deem proper towards the erection of Confederate monuments in the court-house squares at the county seats of their counties, was taken up and referred to the Committee on County, City and Town Organization.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county," was taken up and referred to the Committee on County, City and Town Organization.

amend and re-enact section 20 of an act approved March 5, 1894, entitled an act to amend the charter of the town of Gladesville, in Wise county, No. 53; an act to amend and re-enact section 1 of an act approved March 6, 1900, entitled an act to provide for working, building and keeping in repair the public roads and bridges in Grayson county, No. 60; an act to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898, No. 63; an act authorizing the board of supervisors of Prince William county to issue bonds and appropriate the proceeds thereof to the establishment of a State normal school for girls in said county, No. 70; and an act to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, No. 73.

In which they request the concurrence of the Senate.

No. 40, House bill to provide for official receipts for fines, was taken up and referred to the Committee for Courts of Justice.

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898, sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900, sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 26, 1900, section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898, sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898, sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897, sections 1221, 1222, 1223, 1225 and 1226, section 1227, as amended by an act approved March 4, 1890, sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894, sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892, sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900, section 1244.

section 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898, sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code, relating to works of internal improvement, was taken up and referred to the Committee for Courts of Justice.

No. 42, House bill to amend and re-enact section 10 of an act entitled "an act concerning public service corporations, approved January 18, 1904," and providing for the continuance of annual tolls on turnpikes, was taken up and referred to the Committee on Roads and Internal Navigation.

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law, was taken up and referred to the Committee for Courts of Justice.

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903," was taken up and referred to the Committee on Finance and Banks.

No. 46, House bill to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America, and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor, was taken up and referred to the Committee on Finance and Banks.

No. 50, House bill to allow the street mileage in the town of Chase City, county of Mecklenburg, Virginia, to be included in mileage of county public roads, and to receive its proratable share of county road levy, was taken up and referred to the Committee on County, City and Town Organization.

No. 51, House bill to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up and referred to the Committee on County, City and Town Organization.

No. 52, House bill to authorize the boards of supervisors of counties to contribute such amounts as they shall deem proper towards the erection of Confederate monuments in the court-house squares at the county seats of their counties, was taken up and referred to the Committee on County, City and Town Organization.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county," was taken up and referred to the Committee on County, City and Town Organization.

No. 60, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled an "act to provide for working, building and keeping in repair the public roads and bridges in Grayson county," was taken up and referred to the Committee on County, City and Town Organization.

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898, was taken up, read the first time and referred to the Committee for Courts of Justice.

No. 70, House bill authorizing the board of supervisors of Prince William county to issue bonds and appropriate the proceeds thereof to the establishment of a State normal school for girls in said county, was taken up and referred to the Committee on Public Institutions and Education.

No. 73, House bill to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, was taken up and referred to the Committee on County, City and Town Organization.

Mr. SHANDS, from the Committee on General Laws, reported, with amendments,

No. 35, Senate bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade or for advertising purposes.

He, from the same committee, reported, with amendment,

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, without amendments,

No. 47, Senate bill appropriating \$17,000 per annum for two years to the Medical College of Virginia for the general purposes of the college and to provide free hospital treatment to the indigent sick of the Commonwealth.

He, from the same committee, reported, with amendments, as a substitute to House bill No. 2,

No. 3, Senate bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled

'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories,' approved March 15, 1902, and as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories,' " approved April 2, 1902.

He, from the same committee, reported, with amendments,

No. 30, Senate bill to amend and re-enact the twelfth article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903.

And he, from the same committee, reported, with amendments,

No. 7, House bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue.

Mr PHLEGAR, from the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that object of

No. 92, Senate bill to authorize the city of Roanoke to donate or sell real estate owned by it to any State institution,

Cannot be reached by general laws.

Was taken up and referred to the Committee on County, City and Town Organization.

He, of the same, also reports that objects of

No. 107, Senate bill in relation to fish ladders on the Rapidan river, between the counties of Culpeper, Orange and Madison,

Cannot be reached by general laws.

Was taken up and referred to the Committee on Fish and Game.

And he, from the same committee, also reports that object of

No. 123, Senate bill to authorize the trustee of the Methodist Episcopal Church, South, of Front Royal, Warren county, Virginia, to sell and convey certain real estate and reinvest the proceeds,

Can be reached by general laws. (See section 1405 of the Code.)

Was taken up and referred to the Committee on General Laws.

The PRESIDENT laid before the Senate a communication from the Auditor of Public Accounts in response to a resolution adopted on February 5, 1904, which was read and ordered printed as Senate Document No. 1.



Mr. THOMAS, by leave, presented

No. 125, Senate bill to provide a commission to investigate the methods of accounting employed in the State and its sub-divisions by officers whose duty it is to collect and disburse the public revenue.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. WICKHAM, by leave, presented

No. 126, Senate bill to require interest to be paid upon all State, county, district and municipal taxes or levies remaining unpaid on the 15th day of June in the year after the same were or may be assessed or assessable, and to prescribe the date from which such interest shall be charged.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SADLER, by leave (by request), presented

No. 127, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 666 of the Code of Virginia, as heretofore amended, in relation to the sale of delinquent lands purchased in the name of the auditor, approved March 5, 1900.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SALE, by leave (by request), presented

No. 128, Senate bill to amend and re-enact section 11, relating to tax on incomes, of an act approved March 6, 1890, entitled an act to provide for the assessment of taxes on persons, property and incomes, and on licenses to transact business, and imposing taxes thereon for the support of the government and public free schools, and to pay the interest on the public debt, and to prescribe the mode of obtaining licenses to sell wine, ardent spirits, malt liquors, or any mixture thereof, in cases where a court certificate is necessary.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

On motion of Mr. ANDERSON, two days' leave of absence was granted Mr. A. C. HARMAN.

On motion of Mr. OPIE, four days' leave of absence was granted Mr. Donald, Doorkeeper.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c.

Mr. WICKHAM moved to reconsider the vote by which the bill was ordered to its engrossment.

The CHAIR ruled the motion not in order.

No. 22, Senate bill to release, on certain conditions, the taxes due the State, counties and districts on lands which were returned as delinquent prior to January 1, 1890, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. SHACKELFORD offered an amendment, which was adopted.

Mr. SHANDS called the pending question, which was agreed to.

Ordered to be engrossed and read a third time by the following vote—yeas, 21; nays, 7.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Ford, Gunter, Hobbs, Machen, Mann, McIlwaine, Noel, Opie, Patteson, Phlegar, Rison, Sale, Shands, Tavenner, Thomas, Turner, Wallace and Wickham—21.

NAYS—Messrs. Byars, Campbell, Fulton, Holt, Keezell, Sadler, and Shackelford—7.

Mr. CHAPMAN stated he was paired with Mr. HUTCHESON; if he were present he would vote yea and I would vote nay.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on the Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof, was taken up, read the third time, and passed with its title by the following vote—yeas, 27; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Gunter, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Turner, Wallace and Wickham—27.

NAYS—None.

On motion of Mr. BARKSDALE, Senate adjourned till 12 o'clock to-morrow.

THURSDAY, FEBRUARY 11, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 10, 1904.*

The House of Delegates has passed House bill entitled an act amending and re-enacting sections 2 and 4 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are to be sold, and fixing the penalties incurred for violation of the same, approved February 24, 1890, as amended by an act approved March 8, 1894, as amended by an act approved March 5, 1896, as amended by an act approved December 22, 1897, as amended by an act approved December 28, 1899, No. 69.

In which they request the concurrence of the Senate.

No. 69, House bill amending and re-enacting sections 2, 4, 5, 6, 7, 8 and 10 of an act entitled an act to protect and advance agriculture by regulating the sale and purity of commercial fertilizers, and the guarantee and condition upon which they are to be sold, and fixing the penalties incurred for violation of the same, approved February 24, 1890, as amended by an act approved March 8, 1894, as amended by an act approved March 5, 1896, as amended by an act approved December 22, 1897, as amended by an act approved December 28, 1899, was taken up and referred to the Committee on Agriculture, Mining and Manufacturing.

Mr. SHANDS, by leave, presented

No. 129, Senate bill to amend and re-enact section 3122 of the Code as heretofore amended.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TAVENNER, by leave (by request), presented

No. 130, Senate bill to amend and re-enact sections 11, 12 and 13 of an act entitled an act to amend and re-enact an act entitled an act to create and maintain a State board of crop-pest commissioners and to define its duties and powers, approved March 5, 1900, as amended by an act approved May 9, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. McILWAINE, from the Committee for Courts of Justice, reports, with a substitute,

No. 14, Senate bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887.

Was taken up, and on motion of Mr. TAVENNER, the committee substitute was ordered printed.

He, from the same committee, reported, with a substitute,

No. 53, Senate bill to amend and re-enact section 3049, as amended by an act approved May 20, 1903, as amended by an act approved December 12, 1903.

He, from the same committee, reported, with amendments,

No. 100, Senate bill to provide for taking the depositions of female witnesses in cases of rape and attempted rape.

He, from the same committee, reported, with amendments,

No. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1894, relating to the sale of goods and chattels in certain cases.

He, from the same committee, reported, with amendments,

No. 121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900.

He, from the same committee, reported, without amendments,

No. 20, House bill to amend and re-enact section 836 of the Code of Virginia, as amended by an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

And he, from the same committee, reported, without amendments,

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898, sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900, sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 26, 1900, section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898, sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898, sections 1203, 1204, 1207, 1213, 1215, 1216, 1217,

1218 and 1219, section 1220, as amended by an act approved December 20, 1897, sections 1221, 1222, 1223, 1225 and 1226, section 1227, as amended by an act approved March 4, 1890, sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894, sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892, sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900, section 1244, section 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898, sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code, relating to works of internal improvement.

**Mr. KEEZELL**, from the Committee on Public Institutions and Education, reported favorably

Senate joint resolution relating to the selection, by the State Board of Education, of text-books for use in the public free schools of the Commonwealth.

**Mr. FULTON**, from the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that object of

No. 114, Senate bill to authorize C. H. Gwaltney, W. H. Berryman, George A. Savedge and others to erect a wharf on James river, in Surry county,

Can be reached by general laws. (See section 998 of the Code.)

Was taken up and referred to Committee on General Laws.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein.

Committee amendments agreed to.

Was taken up, read the third time, and passed with its title by the following vote—yeas, 26; nays, none.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Hobbs, Holt, Kezell, Machen, Mann, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Shackelford, Shands, Thomas, Turner, Wallace and Wickham—26.

**NAYS**—None.

No. 78, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894, was taken up, read the third time, and rejected with its title by the following vote—yeas, 10; nays, 14.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Gunter, Machen, Ople, Patteson, Revercomb, Sale, Sears and Shands—10.

NAYS—Messrs. Campbell, Chapman, Ford, Fulton, Greear, Hobbs, Holt, Phlegar, Sadler, Tavenner, Thomas, Turner, Wallace and Wickham—14.

Mr. McILWAINE stated he was paired with Mr. SHACKELFORD; if he were present he would vote nay and I would vote yea.

Mr. RISON stated he was paired with Mr. BYARS; if he were present he would vote nay and I would vote yea.

Mr. PHLEGAR moved to reconsider the vote by which the bill was defeated.

Mr. BARKSDALE moved to pass the motion by, which was rejected by the following vote—yeas, 13; nays, 13.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Campbell, Gunter, Keesell, Machen, McIlwaine, Ople, Patteson, Revercomb, Sale, Sears and Shands—13.

NAYS—Messrs. Chapman, Ford, Fulton, Greear, Hobbs, Holt, Phlegar, Sadler, Shackelford, Tavenner, Thomas, Turner and Wickham—13.

The motion then recurred on the vote to reconsider, which was rejected by the following vote—yeas, 11; nays, 14.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Gunter, Keesell, Machen, McIlwaine, Ople, Patteson, Revercomb, Sale and Shands—11.

NAYS—Messrs. Campbell, Chapman, Ford, Fulton, Greear, Hobbs, Holt, Phlegar, Sadler, Shackelford, Tavenner, Thomas, Turner and Wickham—14.

The following message was received from the Governor by his Secretary:

COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

RICHMOND, VA., *February 11, 1904.*

*To the General Assembly:*

As required by the Constitution of Virginia, I transmit herewith a list of pardons, commutations, &c., granted by me during the year beginning January 1, 1903, and ending December 31, 1903.

A. J. MONTAGUE.

Message was ordered printed as Senate Document No. 2.

No. 22, Senate bill to release, on certain conditions, the taxes due the State, counties and districts on lands which were returned as delinquent prior to January 1, 1890.

Being the special and continuing order of the day, the hour of 12:30 having arrived, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, 7.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Gunter, Hobbs, Holt, Machen, McIlwaine, Ople, Patteson, Phlegar, Revercomb, Rison, Sale, Shackelford, Shands, Tavenner, Thomas, Turner, Wallace and Wickham—21.

**NAYS**—Messrs. Byars, Campbell, Chapman, Ford, Fulton, Keezell and Sadler—7.

Mr. GREEAR stated he was paired with Mr. GARRETT; if he were present he would vote yea and I would vote nay.

Mr. BYARS, by leave, presented

No. 131, Senate bill to incorporate and provide a charter for the town of Damascus, Virginia.

On his motion, the bill being partially read, it was referred to the Special Joint Committee on Special, Private and Local Legislation.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c., being a special and continuing order of the day, the hour of 12:30 having arrived, was taken up.

Mr. ANDERSON moved to pass by until to-morrow.

Mr. WICKHAM offered as a substitute to the motion to pass by to Tuesday, February 23, 1904, which was rejected by the following vote—yeas, 12; nays, 16.

Senators who voted are:

**YEAS**—Messrs. Byars, Chapman, Greear, Gunter, Ople, Revercomb, Rison, Sadler, Tavenner, Thomas, Turner and Wickham—12.

**NAYS**—Messrs. Anderson, Barksdale, Bryant, Campbell, Fulton, Hobbs, Holt, Keezell, Machen, Mann, McIlwaine, Phlegar, Sale, Sears, Shackelford and Shands—16.

Mr. SHANDS presented petition from a student of Virginia Polytechnic Institute, requesting an additional appropriation for

said institution, which was referred to the Committee on Public Institutions and Education.

On motion of Mr. SHACKELFORD, Senate adjourned until 12 M. to-morrow.

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FRIDAY, FEBRUARY 12, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 11, 1904.*

The House of Delegates has passed House bills entitled an act to amend and re-enact section 3500 of the Code of Virginia, as amended and re-enacted by an act approved the 31st day of December, 1903, No. 10; an act to amend and re-enact an act entitled an act to amend and re-enact section 923 of the Code of Virginia, as amended and re-enacted by an act approved February 16, 1892, and by an act approved March 3, 1898, approved December 10, 1903, so as to allow notaries public to qualify before clerks of courts, No. 76; and an act to amend and re-enact section 3059 of an act entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended," approved December 20, 1903, No. 84.

In which they request the concurrence of the Senate.

No. 10, House bill to amend and re-enact section 3500 of the Code of Virginia, as amended and re-enacted by an act approved the 31st day of December, 1903, was taken up and referred to the Committee for Courts of Justice.

No. 76, House bill to amend and re-enact an act entitled "an act to amend and re-enact section 923 of the Code of Virginia, as amended and re-enacted by an act approved February 16, 1892, and by an act approved March 3, 1898, approved December 10, 1903," so as to allow notaries public to qualify before clerks of courts, was taken up and referred to the Committee for Courts of Justice.

No. 84, House bill to amend and re-enact section 3059 of an act entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore



amended, approved December 20, 1903," was taken up and referred to the Committee for Courts of Justice.

Mr. WICKHAM, from the Committee on Banks and Finance, reported, with amendments,

No. 64, Senate bill to amend and re-enact the second clause of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances," approved February 7, 1903.

No. 125, Senate bill to provide a commission to investigate the methods of accounting employed in the State and its sub-divisions by officers whose duty it is to collect and disburse the public revenues.

And he, also from the same committee, reported, without amendment,

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903."

No. 47, Senate bill appropriating \$17,000 per annum for two years to the Medical College of Virginia for the general purposes of the college, and to provide free hospital treatment to the indigent sick of the Commonwealth.

On motion of Mr. SHACKELFORD, the bill was taken up and made the special and continuing order of the day for Tuesday, February 16, 1904, at 12:30 o'clock P. M.

Mr. ANDERSON, from the Committee on Library, reported, with amendments,

No. 73, Senate bill to amend and re-enact sections 249, 253, 254, 255, 258, 259 and 260 of the Code of Virginia, and acts amendatory thereof, in relation to the duties of the Secretary of the Commonwealth and board of directors of the State Library and concerning the State and certain other libraries.

Senate joint resolution:

Whereas, clause 4 of section 132 of the Constitution imposes the duty of selecting text-books for use in the public free schools of the Commonwealth upon the State Board of Education, and in the judgment of the General Assembly this duty should in no way be delegated to any other tribunal or agency, but should be exercised by the State Board itself, and the local school boards kept entirely free from the importunities and distracting influence of the representatives of rival publishing houses; and,

Whereas, the General Assembly believes no other agency connected with the public free school system is so well qualified to select and determine the very best books and appliances for use in the public free schools; and,

Whereas, it is desirable that as far as not impracticable there should be uniformity of text-books for use in the schools (especially those of the primary and grammar grades); and,

Whereas, it is believed that large sums of money could be saved to the pupils in the cost of books if a single rather than a multiple list should be adopted; and,

Whereas, it is highly desirable that any change of text-books should be made in such manner as to allow the pupil to exchange the text-book in use for the one to be used at the least possible trouble and expense; therefore, be it

Resolved by the Senate (the House of Delegates concurring), That in the judgment of the General Assembly of Virginia said State Board of Education, in selecting text-books for use in the public free schools of the State, should, as far as at all practicable, adopt a single rather than a multiple list of books, without reference to or recommendation from the local boards, and in contracting for said books should arrange for the exchange of the old book in use for the new one to be used without cost, or at the least possible cost to the pupil, was taken up, read and passed by.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, renovation and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c., being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up and read the third time.

Mr. HOBBS, by leave, presented

No. 132, A bill to amend section 998 of the Code of Virginia.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

On motion of Mr. GUNTER, three days' leave of absence was granted Mr. MACHEN.

On motion of Mr. SADLER, the Senate adjourned until to-morrow at 12 o'clock.

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### SATURDAY, FEBRUARY 13, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Prayer by Dr. W. T. Derieux.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 12, 1904.*

The House of Delegates has agreed to the amendments proposed

by the Senate to House bill entitled an act to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein, No. 36.

They have passed House bill entitled an act to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor, No. 83.

In which they request the concurrence of the Senate.

No. 83, House bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor, was taken up and referred to the Committee on Privileges and Elections.

Mr. OPIE, from Committee on County, City and Town Organization, reported, with amendments,

✓ No. 6, Senate bill "to provide for the extension of the corporate limits of cities and towns."

Mr. KEEZELL, from the Committee on Fish and Game, reported, without amendment,

No. 107, Senate bill in relation to fish ladders on the Rapidan river between the counties of Culpeper, Orange and Madison.

Mr. GUNTER, by leave, presented

No. 133, A bill to amend and re-enact section 2942 of the Code of Virginia, 1887, in relation to how and when warrants tried and judgment given in relation to how a justice may associate justices with him, and whose opinion to prevail,

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. GUNTER, by leave, presented

No. 134, A bill to allow William H. Lang to erect an oyster shucking house upon his oyster ground at the head of Folly creek, in Accomac county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. REVERCOMB, by leave, presented

No. 135, A bill to amend and re-enact an act approved March 28, 1902, entitled "an act to amend and re-enact an act entitled an act to authorize the reinstatement of a cause after final decree, to appoint a commissioner in the stead of one who has died or become otherwise incapacitated to make the conveyance, approved February 27, 1900," so as to permit a cause to be reinstated after final decree for the purpose of executing an unexecuted order of sale.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. CHAPMAN, by leave, presented

No. 136, A bill to amend and re-enact section 2261 of the Code in relation to what orders the court may make pending the suit; allowances for the maintenance of the woman, &c.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

On motion of Mr. SHACKELFORD, indefinite leave of absence was granted Mr. ST. CLAIR.

No. 14, House bill to authorize and empower the board of supervisors of Roanoke county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county, was taken up.

Mr. PHLEGAR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Revercomb, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—23.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Revercomb, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—23.

NAYS—None.

No. 15, House bill to empower the Circuit Court and board of

supervisors of any county to authorize and permit the erection of Confederate monument upon the public square at the county seat thereof, was taken up.

Mr. PHLEGAR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are :

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

Mr. KEEZELL offered the following joint resolution :

Whereas, clause 4 of section 132 of the Constitution imposes the duty of selecting text-books for use in the public free schools of the Commonwealth upon the State Board of Education, and in the judgment of the General Assembly this duty should in no way be delegated to any other tribunal or agency, but should be exercised by the State Board itself, and the local school boards kept entirely free from the importunities and distracting influence of the representatives of rival publishing houses; and,

Whereas, the General Assembly believes no other agency connected with the public free school system is so well qualified to select and determine the very best books and appliances for use in the public free schools; and,

Whereas, it is desirable that as far as not impracticable there should be uniformity of text-books for use in the schools (especially those of the primary and grammar grades); and,

Whereas, it is believed that large sums of money could be saved to the pupils in the cost of books if a single rather than a multiple list should be adopted; and,

Whereas, it is highly desirable that any change of text-books should be made in such manner as to allow the pupil to exchange the text-book in use for the one to be used at the least possible trouble and expense; therefore, be it

Resolved by the Senate (the House of Delegates concurring), That in the judgment of the General Assembly of Virginia said State Board of Education in selecting text-books for use in the public free schools of the State should, as far as at all practicable, adopt a single rather than a multiple list of books without reference to or recommendation from the local boards, and in contracting for said books should arrange for the exchange of the old book in use for the new one to be used without cost, or at the least possible cost to the pupil.

Was taken up and passed by until Tuesday, February 16, 1904.

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by an act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled 'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State de-

supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof, was taken up.

Mr. PHLEGAR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garret, Gunter, Hobbs, Holt, Keezell, Mann, Opie, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Opie, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Opie, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

Mr. KEEZELL offered the following joint resolution:

Whereas, clause 4 of section 132 of the Constitution imposes the duty of selecting text-books for use in the public free schools of the Commonwealth upon the State Board of Education, and in the judgment of the General Assembly this duty should in no way be delegated to any other tribunal or agency, but should be exercised by the State Board itself, and the local school boards kept entirely free from the importunities and distracting influence of the representatives of rival publishing houses; and,

Whereas, the General Assembly believes no other agency connected with the public free school system is so well qualified to select and determine the very best books and appliances for use in the public free schools; and,

Whereas, it is desirable that as far as not impracticable there should be uniformity of text-books for use in the schools (especially those of the primary and grammar grades); and,

Whereas, it is believed that large sums of money could be saved to the pupils in the cost of books if a single rather than a multiple list should be adopted; and,

Whereas, it is highly desirable that any change of text-books should be made in such manner as to allow the pupil to exchange the text-book in use for the one to be used at the least possible trouble and expense; therefore, be it

Resolved by the Senate (the House of Delegates concurring), That in the judgment of the General Assembly of Virginia said State Board of Education in selecting text-books for use in the public free schools of the State should, as far as at all practicable, adopt a single rather than a multiple list of books without reference to or recommendation from the local boards, and in contracting for said books should arrange for the exchange of the old book in use for the new one to be used without cost, or at the least possible cost to the pupil.

Was taken up and passed by until Tuesday, February 16, 1904.

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by an act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Opie, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled 'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State de-



positories,' approved March 15, 1902, and as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories,' approved April 2, 1902, was taken up and read the first time.

No. 7, House bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, was taken up and read the first time.

No. 20, House bill to amend and re-enact an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up and read the first time.

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898; sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900; sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 26, 1900; section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898; sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898; sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897; sections 1221, 1222, 1223, 1225 and 1226, section 1227, as amended by an act approved March 4, 1890; sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894; sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892; sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900; section 1244, section 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898; sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code, relating to works of internal improvement, was taken up and read the first time.

Mr. MANN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satis-

fied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Revercomb, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—23.

NAYS—None.

On his further motion the bill was then passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Rison, Sears, Shackelford, Tavenner, Turner, Wallace, and Wickham—22.

NAYS—None.

Mr. MANN moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. KEEZELL, from the Committee on Finance and Banks, reported, with the recommendation that the Committee on Finance and Banks be discharged from consideration of within bill, and the same be sent to Committee on Privileges and Elections.

No. 95, Senate bill to prohibit another dispensary election from being held in any city, town, county or district until the expiration of two years from the date of a previous election.

The bill was taken up and the Committee on Finance and Banks discharged from further consideration of the bill by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Gunter, Hobbs, Holt, Keezell, Mann, Ople, Patteson, Phlegar, Revercomb, Rison, Shackelford, Tavenner, Turner, Wallace, and Wickham—21.

NAYS—None.

The bill was then referred to the Committee on Privileges and Elections.

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section

189 of the Constitution, approved April 16, 1903," was taken up and read the first time.

No. 30, Senate bill to amend and re-enact the 12th article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903, was taken up and read the first time.

On motion of Mr. ANDERSON, the Senate adjourned until Monday at 12 o'clock.

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MONDAY, FEBRUARY 15, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of Saturday read by the Clerk.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, without amendments,

No. 76, House bill to amend and re-enact an act entitled "an act to amend and re-enact section 923 of the Code of Virginia, as amended and re-enacted by an act approved February 16, 1892, and by an act approved March 3, 1898, approved December 10, 1903," so as to allow notaries public to qualify before clerks of courts.

Mr. CROMWELL, by leave, presented,

No. 137, A bill to prohibit burying dead human bodies within 200 feet of any lake, pond or reservoir used or connected with the water supply of any city or town of this State.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. CAMPBELL, by leave, presented,

No. 138, A bill to amend and re-enact an act entitled an act to amend and re-enact an act to make husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. KEEZELL, by leave, presented the following resolution:

"Be it resolved by the Senate, That permission is hereby given to a sub-committee of the Committee of Public Institutions and Education of the Senate to be absent from the sessions of the Senate on February 17, 18 and 19, whilst visiting public institutions of the State."

Which was adopted.

No. 20, Senate bill to appropriate \$25,000 for the erection of a

building and plant to furnish heat, light and power to the Governor's Mansion, the State Library building and the State Capitol, and to permit the removal of the heat and power plants now in said building.

Was taken up, and, on motion of Mr. ANDERSON, made the special and continuing order of the day for Monday, February 22, 1904.

No. 100, Senate bill to provide for taking the depositions of female witnesses in cases of rape and attempted rape, with committee amendments, was taken up and read the first time.

Mr. ANDERSON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, J. N. Harman, Keezell, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, Wallace, and Wickham—26.

NAYS—None.

The committee amendments were adopted.

Mr. ANDERSON offered an amendment, which was adopted.

Mr. TAVENNER offered an amendment, which was adopted.

Mr. MCILWAINE offered an amendment, which was adopted.

Mr. PHLEGAR offered the following amendment, "page 1, line 3," strike out "any female" and insert "the female who is alleged to have been assaulted," which was adopted by the following vote—yeas, 15; nays, 11.

Senators who voted are:

YEAS—Messrs. Anderson, Campbell, Ford, Fulton, J. N. Harman, Keezell, Mann, Patteson, Phlegar, Revercomb, Sadler, Sears, Turner, Walker, and Wallace—15.

NAYS—Messrs. Barksdale, Bryant, Chapman, Cromwell, Garrett, Massie, McIlwaine, Opie, Rison, Tavenner, and Wickham—11.

The bill, as amended, was then ordered to be engrossed, and being forthwith engrossed, was passed with its title by the following vote—yeas, 26; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, J. N. Harman, Keezell, Mann, Massie, McIlwaine,

Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, Wallace, and Wickham—26.

NAYS—None.

Mr. ANDERSON moved to reconsider the vote by which the bill was passed, which was rejected.

On his further motion, he was ordered to inform the House of Delegates thereof.

Mr. KEEZELL, by leave, presented

No. 139, a bill making an appropriation for the benefit of the Virginia State Horticultural Society.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. TAVENNER, by leave, presented

No. 140, A bill to amend and re-enact section 94 of an act entitled an act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May 20, 1903, entitled an act to amend and re-enact chapter 9 of the Code of Virginia of 1887, in relation to the election of State, county, district and city officers, and the terms of their offices, and filling vacancies, approved December 18, 1903.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. PATTESON, by leave, presented

No. 141, A bill to amend and re-enact section 5 of an act approved March 7, 1900, providing for the appointment of a State Board of Health.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

On motion of Mr. REVERCOMB, five days' leave of absence was granted Mr. GREER.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled 'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories,' approved March 15, 1902, and as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories,' approved April 2, 1902, with committee substitute, was taken up, read the second time, and the committee substitute adopted.

No. 7, House bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further

amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, with committee amendments, was taken up, read the second time, and committee amendments adopted.

No. 20, House bill to amend and re-enact an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up and read the second time.

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903," was taken up and read the second time.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound net, purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act, was taken up and passed by.

Mr. PHLEGAR, by leave, presented

No. 142, A bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved January 2, 1904.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. PHLEGAR moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 23; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, J. N. Harman, Keezell, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wickham—23.

NAYS—None.

Mr. PHLEGAR moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Sen-

ate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, none.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, J. N. Harman, Keezell, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wickham—23.

**NAYS**—None.

The bill was then ordered to be engrossed, and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 24; nays, none.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, J. N. Harman, Keezell, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wickham—24.

**NAYS**—None.

On his motion, he was ordered to inform the House of Delegates thereof.

No. 30, Senate bill to amend and re-enact the 12th article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903, with committee amendment, was taken up and read the second time.

Mr. OPIE offered an amendment, which was adopted.

The committee amendment was adopted.

Mr. WICKHAM offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed and read a third time.

On motion of Mr. GREEAR, five days' leave of absence was granted Mr. NOEL.

On motion of Mr. McILWAINE, the chair was vacated until 3:30 o'clock P. M.

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## EVENING SESSION.

MONDAY, FEBRUARY 15, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been

passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

No. 142, Senate bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved January 2, 1904.

No. 100, Senate bill to provide for taking the depositions of female witnesses in cases of rape and attempted rape.

On motion of Mr. MANN, the Senate adjourned until to-morrow at 12 o'clock.

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TUESDAY, FEBRUARY 16, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. W. T. Derieux.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 15, 1904.*

The House of Delegates has passed Senate bill entitled an act to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved January 3, 1904, No. 142; and an act to provide for taking the deposition of female witnesses in case of rape and attempted rape, No. 100.

Mr. KEEZELL, from the Committee on Finance and Banks, reported, with amendment,

No. 46, House bill to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America, and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor.

He also reported, from the same committee, with amendment,

No. 94, Senate bill to appropriate the sum of \$60,000 to add to and improve the buildings of the State Female Normal School, at Farmville, and to increase the annual appropriation to said school from \$25,000 to \$30,000.

He also reported, from same committee, with amendment,

No. 86, Senate bill to appropriate the sum of \$200,000 to provide equipment and improvement for the Virginia Polytechnic Institute.



Mr. KEEZELL, from Committee on Public Institutions and Education, reported

No. 143, Senate bill "to amend and re-enact sections 1433, 1437, 1445, 1449, 1450, 1454, 1459, 1466, 1484 and 1515 of the Code of Virginia, as amended by an act entitled 'an act to amend and re-enact chapter 66 of the Code of Virginia, relating to public free schools for counties, and to the literary fund,' approved December 28, 1903."

He, from the same committee, reported

No. 144, Senate bill to amend and re-enact sections 1528, 1531 and 1538 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 67 of the Code of Virginia, in relation to public free schools in cities and towns constituting separate school districts," approved December 31, 1903.

Mr. OPIE, from Committee on County, City and Town Organization, reported, with amendments,

No. 21, Senate bill to extend the time of all city officers in cities of 10,000 or over, where said officers are appointed by city councils of said cities, which have not heretofore had two branches of council, as is now required by the Constitution, and to provide for the election of their successors.

He, from the same committee, reported, without amendment,

No. 73, House bill to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900.

He, from the same committee, reported, without amendment,

No. 51, House bill "to amend and re-enact section 834 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, so as to allow boards of supervisors to increase the pay on crow scalps."

He, from the same committee, reported, without amendment,

No. 38, House bill to amend and re-enact sub-division "B" of section 8 of an act approved December 21, 1901, entitled "an act to incorporate the town of Fries, in Grayson county, Virginia, as amended by an act approved March 29, 1902."

And he, from the same committee, reported, without amendment,

No. 13, House bill "to incorporate the town of Cedar Bluff, in Tazewell county."

No. 6, House bill to provide the establishment, proper construction and permanent improvement of the public roads and landings, for building and keeping in good order and repair of all public roads, bridges, causeways and wharves in the several counties of this State.

At the request of the Committee on County, City and Town Organization, the bill was ordered printed.

On motion of Mr. McILWAINE, indefinite leave of absence was granted Mr. THOMAS.

Mr. WICKHAM, by leave, presented

No. 145, A bill to amend and re-enact section 746 of the Code of Virginia, so as to limit the right to bring suit upon claims against the Commonwealth.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SHANDS, by leave, presented

No. 146, A bill to amend and re-enact section 3426 of the Code of Virginia, as amended and re-enacted by the Acts of the General Assembly of 1893-'4, page 233, as amended and re-enacted by the Acts of 1895-'6, page 178, and as further amended and re-enacted by Acts of 1897-'8, page 744.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TAVENNER, by leave, presented

No. 147, A bill to amend and re-enact an act entitled "an act to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers," approved February 8, 1904.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SADLER, by leave (by request), presented

No. 148, A bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled 'an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories,' approved February 3, 1900, as amended and re-enacted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories,' approved March 15, 1902, and as amended and re-en-

acted by an act entitled 'an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories,' " approved April 2, 1902, was taken up and read the third time.

On motion of Mr. SADLER, the bill, as amended, was passed by and ordered printed.

Mr. HOLT moved to reconsider the vote by which the bill was passed by.

Which was agreed to.

The Senate then rejected the motion to pass the bill by.

The bill was then passed by the following vote—yeas, 27; nays, 2.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Garrett, Greear, Gunter, Hobbs, Holt, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sale, Sears, Shackelford, Shands, Tavenner, Turner, Walker, and Wallace—27.

NAYS—Messrs. Keezell and Sadler—2.

On motion of Mr. HOLT, the title was amended.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, with amendments,

No. 84, House bill to amend and re-enact section 3059 of the Code of Virginia, as amended by an act entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended," "approved December 20, 1903," with committee amendments, was taken up.

Mr. SEARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, J. N. Harman, Hobbs, Holt, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Turner, Walker, and Wallace—29.

NAYS—None.

The committee amendments were adopted.

On his further motion, the bill was then passed with its title by the following vote—yeas, 25; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Cromwell, Ford, Fulton, Garrett, Greear,

Gunter, Hobbs, Keezell, Machen, Mann, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Turner, Walker, and Wallace—24.

NAYS—None.

Mr. SEARS moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. PHLEGAR, by leave, presented

No. 149, A bill to authorize the town of Salem and the county of Roanoke, or either of them, to appropriate money for the purpose of securing the location of a State Female Normal School, at or near the town of Salem, and to authorize the issue of bonds in connection therewith.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 47, Senate bill appropriating \$17,000 per annum for two years to the Medical College of Virginia for the general purposes of the college, and to provide free hospital treatment to the indigent sick of the Commonwealth, being the special and continuing order of the day, hour of 12:30 o'clock having arrived, was taken up.

Mr. SHACKELFORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, and Turner—24.

NAYS—None.

Mr. SALE offered a substitute for the bill, which was adopted by the following vote—yeas, 17; nays, 10.

Senators who voted are:

YEAS—Messrs. Cromwell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, McIlwaine, Rison, Sadler, Sale, Sears, Shands, Tavenner, Turner, Walker, and Wallace—17.

NAYS—Messrs. Barksdale, Bryant, Ford, Holt, Machen, Mann, Massie, Opie, Phlegar, and Shackelford—10.

The bill, as amended by the substitute, was then ordered to be engrossed by the following vote—yeas, 15; nays, 12.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Cromwell, Garrett, Greear, Gunter, J. N. Harman, Holt, Massie, Ople, Phlegar, Rison, Sale, Shackelford, Tavenner, and Wallace—15.

**NAYS**—Messrs. Ford, Fulton, Hobbs, Keezell, Machen, Mann, McIlwaine, Sadler, Sears, Shands, Turner, and Walker—12.

Mr. BRYANT stated that he was paired with Mr. CAMPBELL; if he were present he would vote "no," and I would vote "aye."

Mr. BARKSDALE, by leave (by request), presented

No. 150, A bill to create an office to be known as collector of delinquent taxes for the State of Virginia.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. CROMWELL, by leave, presented

No. 151, A bill to authorize the county of Norfolk to acquire the toll roads and toll bridges in said county, and to issue bonds for that purpose.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. MANN, by leave, presented

No. 152, A bill to prevent the granting of a new trial in criminal cases except for errors, which affect the merits of the case.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. HOLT, by leave, presented

No. 153, A bill to appropriate the sum of \$20,000 for the equipment and improvement for William and Mary College, at Williamsburg.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. J. N. HARMAN, by leave, presented

No. 154, A bill to amend and re-enact section 43 of an act approved April 16, 1903, entitled "an act to raise revenue for support of the government and public free schools, and pay the interest on the public debt, and to provide a special tax for pensions.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

On motion of Mr. SHACKELFORD, the Senate adjourned until tomorrow at 12 o'clock.

WEDNESDAY, FEBRUARY 17, 1904.

Senator C. HARDING WALKER in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 16, 1904.*

The House of Delegates has passed House bills entitled an act to define and determine the natural oyster beds, rocks and shoals of the State, to provide for an investigation and examination of certain public grounds within the Baylor Geodetic Survey, to determine what part of such ground is natural beds, rocks or shoals, and what part barren ground; to appoint a special joint committee to carry into effect the provisions of this act, and to appropriate money to defray the expenses incurred hereunder, No. 35; and an act to amend and re-enact sections 1653, 1656, 1656a and 1657 of the Code of Virginia, as amended and re-enacted by chapter 266, Acts of Assembly, session 1902-'03, approved May 16, 1903, No. 105.

In which they request the concurrence of the Senate.

No. 35, House bill to define and determine the natural oyster beds, rocks and shoals of the State, to provide for an investigation and examination of certain public grounds within the Baylor Geodetic Survey, to determine what part of such ground is natural beds, rocks or shoals, and what part barren ground; to appoint a special joint committee to carry into effect the provisions of this act, and to appropriate money to defray the expenses incurred hereunder, was taken up and referred to the Committee on Fish and Game.

No. 105, House bill to amend and re-enact sections 1653, 1656, 1656a and 1657 of the Code of Virginia, as amended and re-enacted by chapter 266, Acts of Assembly, session 1902-'03, approved May 16, 1903, was taken up and referred to the Committee on Public Institutions and Education.

Mr. OPIE moved that the Committee on Public Institutions and Education be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Walker, and Wallace—21.

NAYS—None.

Mr. OPIE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Opie, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—22.

NAYS—None.

Mr. OPIE moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. MANN, from the Committee on Privileges and Elections, reported, with amendments,

No. 96, Senate bill to provide for lists of all persons who have paid their State poll-taxes, and for posting the same, and for providing compensation therefor.

He, from the same committee, reported, without amendment,

No. 104, Senate bill to provide for evidence of the prepayment of State poll-taxes by voters transferred from one city or county to another city or county.

He, from the same committee, reported, with amendment,

No. 84, Senate bill to amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the apportionment of representation in Congress, approved February 15, 1892.

He, from the same committee, reported, with recommendation that it do not pass,

No. 37, Senate bill to amend and re-enact section 161 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 157, 158, 159, 160 and 161 of the Code of Virginia, approved December 10, 1903, so as to allow appeal in contested election cases.

And he, from the same committee, reported, with recommendation that it do not pass,

No. 10, Senate bill to provide for the election of United States Senators by primary election.

A message was received from the House of Delegates by Mr. STEARNES, who informed the Senate that that House had passed the following joint resolution:

Whereas, it is proposed to commemorate the first permanent Anglo-American settlement on this continent, made at Jamestown on the 13th day of May, 1607, by holding an international exposition on the shores of Hampton Roads; and the State of Virginia has heretofore incorporated the Jamestown Exposition Company, under whose auspices such commemoration is to be held; and,

Whereas, the General Assembly of Virginia has heretofore endorsed such commemoration by making a suitable appropriation to said company to assist in making said exposition a fit and suitable one to properly commemorate this, the greatest event in American history; and,

Whereas, a bill has been introduced in the Senate and House of Representatives of the United States of America in Congress assembled, for the purpose of securing the endorsement of this nation, and of making said exposition an international one, inviting foreign nations to participate therein, and authorizing suitable and appropriate naval displays and military manœuvres, on and near the waters of Hampton Roads during the period of said exposition, and providing a proper appropriation by the Government of the United States; now, therefore, be it

Resolved by the House of Delegates (the Senate concurring), That the Governor of this State be, and he is hereby, authorized and requested for and on the part of the Commonwealth of Virginia, to at once invite the co-operation and assistance of each and every other State of this Union, in order that each of them adopt the necessary measures to be suitably and appropriately represented at the said exposition.

Which was taken up and adopted.

On motion of Mr. SEARS, he was ordered to inform the House of Delegates thereof.

Mr. MASSIE, from the Committee on General Laws, reported, without amendment,

No. 132, Senate bill to amend section 998 of the Code of Virginia.

The bill was taken up and read the first time.

Mr. BRYANT, from the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that the object of the Senate bill No. 90, to establish a general road fund for the per-



manent improvement of roads and bridges, to create a road fund for Dinwiddie county, and to provide for the appointment of a county superintendent of roads,

Cannot be reached by general laws, and in the opinion of the committee, is in violation of sub-section 5 of section 63 of the Constitution.

The bill was referred to the Committee for Courts of Justice.

And he, from the same committee, also reports that object of

No. 115, Senate bill to authorize and empower the Council of the town of Pocahontas, Virginia, to sell a strip of eight feet on the east side of Centre street from St. Clair street, to what is known as Philadelphia Row, in order to straighten said Centre street and make same uniform width, and to provide that the fund arising from same shall go to the benefit of the public school of the town,

Cannot be reached by general laws.

The bill was referred to the Committee on County, City and Town Organization.

Mr. HOBBS presented the following joint resolution:

"Be it resolved by the Senate of Virginia (the House of Delegates concurring), That we do hereby earnestly and respectfully request our Congressmen and Senators to carefully consider the relative merits of the Brownlow and Latimer bills, and to use their best and most earnest efforts to have the one enacted that is best calculated to further the cause of good roads, and to support any other measure looking to this all-important end."

Which was referred to the Committee on Roads and Internal Navigation.

On motion of Mr. FULTON, indefinite leave of absence was granted Mr. PATTESON, on account of sickness.

On motion of Mr. MANN, two days' leave of absence was granted Mr. CROMWELL.

Mr. MANN, by leave, presented

No. 155, A bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by act approved February 1904.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. BRYANT, by leave, presented

No. 156, A bill to amend and re-enact an act entitled an act to provide for the improvement and working of the road in the county of Henrico, and for the construction and repair of the bridges therein, and to repeal an act of the General Assembly of Virginia approved March 6, 1882, entitled an act to provide for laying out and working roads in Henrico county, as amended and re-enacted by an act approved May 23, 1887, as amended and re-enacted by

act approved February 24, 1890, and as further amended and re-enacted by an act approved March 24, 1892.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 76, House bill to amend and re-enact an act entitled "an act to amend and re-enact section 923 of the Code of Virginia, as amended and re-enacted by an act approved February 16, 1892, and by an act approved March 3, 1898, approved December 10, 1903," so as to allow notaries public to qualify before clerks of courts, was taken up.

Mr. CAMPBELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—22.

NAYS—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—22.

NAYS—None.

Mr. CAMPBELL moved to reconsider the vote by which the bill was passed, which was rejected.

No. 68, Senate bill to amend and re-enact an act entitled an act to authorize the Governor to grant conditional pardon to persons confined in the penitentiary upon recommendation of the board of directors of said institution, approved March 3, 1898, as amended by an act approved February 3, 1900, as amended by an act approved May 1, 1903.

Mr. J. N. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was rejected by the following vote—yeas, 10; nays, 11.

Senators who voted are:

YEAS—Messrs. Greear, Gunter, J. N. Harman, Machen, McIlwaine, Revercomb, Sadler, Sears, Turner, and Walker—10.

**NAYS**—Messrs. Bryant, Campbell, Fulton, Garrett, Hobbs, Mann, Massie, Ople, Rison, Tavenner, and Wallace—11.

No. 13, House bill to incorporate the town of Cedar Bluff, in Tazewell county.

Mr. J. N. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

**YEAS**—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wallace—21.

**NAYS**—None.

On his further motion, the bill was then passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

**YEAS**—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wallace—21.

**NAYS**—None.

Mr. J. N. HARMAN moved to reconsider the vote by which the bill was passed, which was rejected.

No. 42, House bill to amend and re-enact section 10 of an act entitled "an act concerning public service corporations, approved January 18, 1904," and providing for the continuance of annual tolls on turnpikes.

Mr. MASSIE moved that the Committee on Roads and Internal Navigation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

**YEAS**—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—22.

**NAYS**—None.

Mr. FULTON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satis-

fied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

NAYS—None.

MR. FULTON, offered amendments, which were adopted.

On his further motion, the bill, as amended, was then passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

NAYS—None.

No. 47, Senate bill appropriating \$17,000 per annum for two years to the Medical College of Virginia for the general purposes of the college, and to provide free hospital treatment to the indigent sick of the Commonwealth, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

MR. TAVENNER moved to reconsider the vote by which the bill was ordered to be engrossed.

MR. SHACKELFORD moved to pass the motion by until Tuesday, February 23, 1904, which was agreed to.

No. 7, House bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, was taken up, read the third time, and, on motion of Mr. TAVENNER, passed by.

No. 20, House bill to amend and re-enact an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

**YEAS**—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

**NAYS**—None.

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903," was taken up and read the third time.

By unanimous consent, Mr. J. N. HARMAN offered amendments, which were adopted.

On his further motion, the bill, as amended, was then passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

**YEAS**—Messrs. Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Mann, Massie, McIlwaine, Ople, Revercomb, Rison, Sadler, Sears, Tavenner, Turner, Walker, and Wallace—21.

**NAYS**—None.

No. 30, Senate bill to amend and re-enact the 12th article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903, was taken up, read the third time, and, on motion of Mr. SHACKELFORD, passed by.

No. 38, House bill to amend and re-enact sub-division "B" of section 8 of an act approved December 21, 1901, entitled "an act to incorporate the town of Fries, in Grayson county, Va., as amended by an act approved March 29, 1902, was taken up and read the first time.

No. 73, House bill to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, was taken up and read the first time.

No. 46, House bill to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America; and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor, was taken up and read the first time.

No. 35, Senate bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade or for advertising purposes, was taken up and read the first time.

No. 14, Senate bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887, was taken up and read the first time.

No. 53, Senate bill to amend and re-enact section 3049, as amended by an act approved May 20, 1903, as amended by an act approved December 12, 1903, was taken up and read the first time.

No. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1894, relating to the sale of goods and chattels in certain cases, was taken up and read the first time.

No. 121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900, was taken up and read the first time.

No. 64, Senate bill to amend and re-enact the second clause of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances," approved February 7, 1903, was taken up and read the first time.

No. 73, Senate bill to amend and re-enact sections 249, 253, 254, 255, 258, 259 and 260 of the Code of Virginia, and acts amendatory thereof, in relation to the duties of the Secretary of the Commonwealth and board of directors of the State Library and concerning the State and certain other libraries, was taken up and read the first time.

No. 125, Senate bill to provide a commission to investigate the methods of accounting employed in the State and its sub-divisions

by officers whose duty it is to collect and disburse the public revenues, was taken up and read the first time.

✓ No. 6, Senate bill to provide for the extension of the corporate limits of cities and towns, was taken up and read the first time.

No. 107, Senate bill in relation to fish ladders on the Rapidan river between the counties of Culpeper, Orange and Madison, was taken up and read the first time.

No. 21, Senate bill to extend the time of all city officers in cities of 10,000 or over where officers are appointed by city councils of said cities, which have not heretofore had two branches of council, as is now required by the Constitution, and to provide for the election of their successors, was taken up and read the first time.

No. 86, Senate bill to appropriate the sum of \$200,000 to provide buildings, equipment and improvement for the Virginia Polytechnic Institute, was taken up and read the first time.

No. 94, Senate bill to appropriate the sum of \$60,000 to add to and improve the buildings of the State Female Normal School at Farmville, and to increase the annual appropriation to said school from \$25,000 to \$30,000, was taken up and read the first time.

On motion of Mr. SADLER, the Senate adjourned until to-morrow at 12 o'clock.

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#### THURSDAY, FEBRUARY 18, 1904.

Senator C. HARDING WALKER in the chair.

Prayer by Rev. W. T. Derieux.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 17, 1904.*

The House of Delegates has agreed to the amendments proposed by the Senate to House bill entitled an act to amend and re-enact section 3059 of the Code of Virginia, as amended by an act entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended," "approved December 20, 1903," No. 84.

Mr. MASSIE, from the Committee on General Laws, reported, without amendment,

No. 141, Senate bill to amend and re-enact section 5 of an act approved March 7, 1900, providing for the appointment of a State board of health.

Mr. MASSIE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being sat-

ified that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, Wallace, and Wickham—22.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Machen, Mann, Massie, McIlwaine, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, Wallace, and Wickham—22.

NAYS—None.

Mr. MASSIE moved to reconsider the vote by which the bill was passed, which was rejected.

On motion of Mr. McILWAINE, he was ordered to inform the House of Delegates thereof.

Mr. SHACKELFORD, by leave, presented

No. 157, A bill to amend and re-enact section 62 of chapter 8 of the Code of Virginia, as amended by act approved December 8, 1902.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. SHACKELFORD moved that the Committee on Privileges and Elections be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Machen, Mann, Massie, McIlwaine, Opie, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, Wallace, and Wickham—21.

NAYS—None.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, with amendments,

No. 89, Senate bill to amend and re-enact section 3532 of the Code of Virginia, as amended and re-enacted by an act approved



February 24, 1890, as amended and re-enacted by an act approved March 4, 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer.

He, from the same committee, reported, with amendment,

No. 113, Senate bill making it a misdemeanor to desert without just cause or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute or necessitous circumstances, and to provide a penalty therefor.

He, from the same committee, reported, without amendments,

No. 133, Senate bill to amend and re-enact section 2942 of the Code of Virginia, 1887, in relation to how and when warrant tried and judgment given, and in relation to how a justice may associate justices with him, and whose opinion to prevail.

He, from the same committee, reported, without amendments,

No. 138, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act to make husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902.

He, from the same committee, reported, with amendments,

No. 148, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894.

He, from the same committee, reported, with amendments,

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law.

And he, from the same committee, reported, without amendments,

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics and defining the duties of said bureau, approved March 3, 1898.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 59, Senate bill to amend and re-enact sections 75 to 147 inclusive of an act approved April 16, 1903, entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by section 189 of the Constitution.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900.

No. 24, Senate bill to provide for the protection of the books and

her property in the State Library, and to punish any person who willfully remove the same therefrom, or who shall fail to return the same after receiving notice from the Librarian.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof.

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898; sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 3, 1896, and by an act approved February 26, 1900; sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 2, 1900; section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898; sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898; sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897; sections 1221, 1222, 1223, 1125 and 1226, section 1227, as amended by an act approved March 4, 1890; sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894; sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892; sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900; sections 1244 and 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898; sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code of Virginia, relative to works of internal improvements.

No. 16, House bill to amend and re-enact an act approved April 1, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia, in relation to land books of commissioners of the revenue in the several cities and counties of this State.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein.

No. 19, House bill to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to

February 24, 1890, as amended and re-enacted by an act approved March 4, 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer.

He, from the same committee, reported, with amendment,

No. 113, Senate bill making it a misdemeanor to desert without just cause or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute or necessitous circumstances, and to provide a penalty therefor.

He, from the same committee, reported, without amendments,

No. 133, Senate bill to amend and re-enact section 2942 of the Code of Virginia, 1887, in relation to how and when warrant tried and judgment given, and in relation to how a justice may associate justices with him, and whose opinion to prevail.

He, from the same committee, reported, without amendments,

No. 138, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act to make husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902.

He, from the same committee, reported, with amendments,

No. 148, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894.

He, from the same committee, reported, with amendments,

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law.

And he, from the same committee, reported, without amendments,

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics and defining the duties of said bureau, approved March 3, 1898.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 59, Senate bill to amend and re-enact sections 75 to 147 inclusive of an act approved April 16, 1903, entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by section 189 of the Constitution.

No. 22, House bill to amend and re-enact section 61 of an act to provide a new charter for the town of Clifton Forge, in the county of Alleghany, approved February 3, 1900.

No. 24, Senate bill to provide for the protection of the books and

other property in the State Library, and to punish any person who shall willfully remove the same therefrom, or who shall fail to return the same after receiving notice from the Librarian.

No. 32, House bill to regulate the number of votes to be cast by the school trustees of the city of Charlottesville, Virginia, in the semi-annual meetings of the city and county school boards held at the Miller School on Tuesday after the third Monday in January and July of each year, or any adjourned meeting thereof.

No. 41, House bill to repeal sections 1185, 1186, 1187 and 1188, section 1189, as amended by an act approved February 20, 1892, and by an act approved January 31, 1898; sections 1190 and 1191, section 1192, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 6, 1896, and by an act approved February 26, 1900; sections 1193, 1194 and 1195, section 1196, as amended by an act approved February 3, 1888, and by an act approved February 28, 1890, and by an act approved March 5, 1896, and by an act approved February 26, 1900; section 1197, as amended by an act approved February 2, 1892, and by an act approved February 24, 1898; sections 1198, 1199, 1200 and 1201, section 1202, as amended by an act approved March 3, 1898; sections 1203, 1204, 1207, 1213, 1215, 1216, 1217, 1218 and 1219, section 1220, as amended by an act approved December 20, 1897; sections 1221, 1222, 1223, 1125 and 1226, section 1227, as amended by an act approved March 4, 1890; sections 1228 and 1229, section 1230, as amended by an act approved February 12, 1894; sections 1231, 1232 and 1233, section 1234, as amended by an act approved February 25, 1892; sections 1235, 1237, 1240, 1241 and 1242, section 1243, as amended by an act approved February 17, 1898, and by an act approved March 2, 1900; sections 1244 and 1245, as amended by an act approved February 25, 1892, and by an act approved March 3, 1898; sections 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1255 and 1256 of chapter 51 of the Code of Virginia, relative to works of internal improvements.

No. 16, House bill to amend and re-enact an act approved April 4, 1903, entitled an act to authorize and empower the board of supervisors of Botetourt county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

No. 18, House bill to amend and re-enact section 458 of the Code of Virginia, in relation to land books of commissioners of the revenue in the several cities and counties of this State.

No. 36, House bill to require the owners or lessees of public halls, theatres and opera-houses to provide suitable and sufficient exits for the safety of persons attending all gatherings therein.

No. 19, House bill to amend and re-enact section 504 of the Code of Virginia, as amended and re-enacted by an act entitled an act to

amend and re-enact sections 464 and 504 of the Code of Virginia, in relation to the mode in which land and property books shall be made out, approved February 22, 1890.

No. 4, House bill to amend and re-enact section 2967, Code of Virginia, in relation to attachments.

No. 14, House bill to authorize and empower the board of supervisors of Roanoke county and the Council of the town of Salem to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

No. 15, House bill to empower the Circuit Court and board of supervisors of any county to authorize and permit the erection of a Confederate monument upon the public square at the county seat thereof.

A message was received from the Governor, by his Secretary, as follows:

COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

RICHMOND, VA., *February 18, 1904.*

*To the Senate:*

I hereby appoint, subject to your confirmation, R. Walton Moore, of Fairfax county; Eppa Hunton, Jr., of Richmond; Daniel Harmon, of Charlottesville; and Benjamin F. Buchanan, of Smyth county, as members of the Board of Visitors of the University of Virginia, for the term commencing February 28, 1904.

A. J. MONTAGUE.

A message was received from the House of Delegates by Mr. BOAZ, who informed the Senate that that House had refused to concur in Senate amendments to

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903."

Mr. J. N. HARMAN moved that the Senate recede from its amendments, which was agreed to.

And he was ordered to inform the House of Delegates thereof.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, restoration and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April 2, 1902, as appropriates \$100,000 for restoring and repairing said building, &c., being the special continuing order of the day, the hour of 12:30 o'clock having ar-

rived, was taken up, and, on motion of Mr. ANDERSON, passed by until Tuesday, February 23, 1904.

No. 30, Senate bill to amend and re-enact the 12th article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903, was taken up and passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Machen, Mann, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, Wallace, and Wickham—22.

NAYS—None.

No. 38, House bill to amend and re-enact sub-division "B" of section 8 of an act approved December 21, 1901, entitled "an act to incorporate the town of Fries, in Grayson county, Virginia, as amended by an act approved March 29, 1902, was taken up and read the second time.

No. 73, House bill to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, was taken up and read the second time.

No. 46, House bill to provide for the collection of all muster-rolls, records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America; and to provide for the appointment and compensation of a secretary of Virginia military records and for the other expenses incidental to the work to be performed, and to appropriate the sum of \$3,000 therefor, with committee amendments, was taken up and read the second time.

On motion of Mr. McILWAINE, the bill was recommitted to the Committee on Finance and Banks.

No. 132, Senate bill to amend section 998 of the Code of Virginia, was taken up and read the second time.

No. 35, Senate bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade or for advertising purposes, with committee amendment, was taken up and read the second time.

The committee amendment was adopted.

Mr. FULRON offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed and read a third time.

No. 14, Senate bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887, with committee substitute, was taken up, read the second time, committee substitute adopted, ordered to be engrossed, and read a third time.

Mr. McILWAINE, by leave, presented

No. 158, A bill to prevent the transportation by railroad companies of excursion and picnic parties to towns, villages and other points in this State, not having adequate police protection, except by proper consent.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SADLER, by leave, presented

No. 159, A bill to amend and re-enact section 907 of the Code of Virginia, as amended by an act approved February 23, 1888, in relation to the sale of mules, work oxen and horses, when and where sold.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. MANN, by leave, presented

No. 160, A bill to prohibit any person, partnership, association of persons or corporation, including any officer, clerk or representative of any corporation, to act within this Commonwealth as agent or representative in any capacity for any insurance company, or Lloyds Association, or individual underwriters, not licensed and authorized by law to do business in this State, and to prescribe penalties for violation of this act.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. BRYANT, by leave, presented

No. 161, A bill to authorize the board of supervisors of the county of Henrico to levy taxes on dogs in said county, and to provide for the collection of the same.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1894, relating to the sale of goods and chattels in certain cases, was taken up and read the second time.

On motion of Mr. ANDERSON, the Senate adjourned until to-morrow at 12 o'clock.

FRIDAY, FEBRUARY 19, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 18, 1904.*

The House of Delegates has agreed to the amendments proposed by the Senate to House bill entitled an act to amend and re-enact section 10 of an act entitled "an act concerning public service corporations, approved January 18, 1904," and providing for the continuance of annual tolls on turnpikes, No. 42.

They have passed Senate bills entitled an act to amend and re-enact section 5 of an act approved March 7, 1900, providing for the appointment of a State board of health, No. 141; and an act authorizing the judges of circuit courts in cities of the first-class having over 40,000 population, and a separate clerk for said circuit court to make an annual allowance for such clerk, payable out of the treasury of said city, No. 70.

They have passed House bills entitled an act to repeal sections 1258, as amended by an act approved February 9, 1898, and by an act approved February 15, 1900; section 1259, as amended by an act approved February 8, 1898; sections 1260, 1261, 1262, 1263 and 1264 of chapter 52 of the Code of Virginia, relating to railroads, No. 54; and an act to repeal sections 1287, 1288, 1289, 1290 and 1291, section 1292, as amended by an act approved March 6, 1900; sections 1293 and 1294 of the Code of Virginia, No. 55.

In which they request the concurrence of the Senate.

No. 54, House bill to repeal section 1258, as amended by an act approved February 9, 1898, and by an act approved February 15, 1900; section 1259, as amended by an act approved February 8, 1898; sections 1260, 1261, 1262, 1263 and 1264 of chapter 52 of the Code of Virginia, relating to railroads, was taken up and referred to the Committee on Roads and Internal Navigation.

No. 55, House bill to repeal sections 1287, 1288, 1289, 1290 and 1291, section 1292, as amended by an act approved March 6, 1900; sections 1293 and 1294 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

The PRESIDENT laid before the Senate a communication from the Secretary of the Commonwealth, which, on motion of Mr. BARKSDALE, was ordered printed as Senate Document No. 3.



Mr. BARKSDALE, by leave, presented

No. 162, A bill to amend and re-enact section 613 of chapter 27 of the Code of Virginia, entitled "Collection of Taxes."

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. WALKER, by leave, presented

No. 163, A bill to amend and re-enact section 25 of an act entitled "an act to raise revenue for support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution," approved April 16, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. REVERCOMB, by leave, presented

No. 164, A bill to amend and re-enact section 2500 of the Code of Virginia of 1887, as amended by act approved February 28, 1896, in regard to where and by whom writings admitted to record.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. WICKHAM, by leave, presented

No. 165, A bill to repeal the joint resolution adopted March 5, 1888, transferring to the Mount Vernon Association a claim of the State of Virginia against the United States Government.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOBBS, by leave, presented

No. 166, A bill to amend and re-enact section 4063 of the Code of Virginia, in relation to hangings.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 126, Senate bill to require interest to be paid upon all State, county; district and municipal taxes or levies remaining unpaid on the 15th of June in the year next after that in which the same were or may be assessed or assessable, and to prescribe the date from which such interest shall be charged.

Mr. WICKHAM moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Massie, Ople, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, Wallace, and Wickham—22.

NAYS—None.

No. 145, Senate bill to amend and re-enact section 746 of the Code of Virginia, so as to limit the right to bring suit upon claims against the Commonwealth.

Mr. WICKHAM moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Massie, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Turner, Walker, Wallace, and Wickham—21.

NAYS—None.

No. 38, House bill to amend and re-enact sub-division "B" of section 8 of an act approved December 21, 1901, entitled "an act to incorporate the town of Fries, in Grayson county, Virginia, as amended by an act approved March 29, 1902, was taken up, read the third time, and passed by.

No. 73, House bill to repeal an act entitled an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved March 4, 1896, as amended by an act to amend and re-enact section 16 of an act approved February 29, 1892, entitled an act to provide for working and keeping in order the public roads in the county of Louisa, approved February 26, 1900, was taken up, read the third time and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Massie, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

NAYS—None.

No. 14, Senate bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887, was taken up, read the third time, and passed with its title by the following vote—yeas, 21; nays, none.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Campbell, Fulton, Garrett, Greear, Gunter, J. N. Harman, Hobbs, Machen, Massie, Opie, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Turner, Walker, and Wallace—21.

NAYS—None.

No. 7, House bill to amend and re-enact section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved March 3, 1896, as further amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the fees of the commissioner of the revenue, was taken up.

By unanimous consent, Mr. SHACKELFORD offered an amendment.

Mr. J. N. HARMAN offered an amendment.

Mr. SADLER offered an amendment.

Mr. FULTON offered an amendment.

The bill was then passed by.

No. 121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900, was taken up and read the second time.

Mr. WALLACE offered an amendment.

No. 53, Senate bill to amend and re-enact section 3049, as amended by an act approved May 20, 1903, as amended by an act approved December 12, 1903, was taken up and read the second time.

No. 64, Senate bill to amend and re-enact the second clause of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances," approved February 7, 1903, with committee amendment, was taken up, read the second time, and passed by.

No. 35, Senate bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade or for advertising purposes, was taken up and read the third time.

On motion of Mr. ANDERSON, the Senate resolved itself into executive session, and having dispatched the business before them, the doors were opened, and the following resolution, adopted in executive session (the injunction of secrecy being removed), was ordered to be spread upon the Journal of the Senate and a copy thereof forwarded to the Governor and the State Board of Education;

Resolved, That the Senate advise and confirm the following appointments:

As a member of the Special Board of Directors of the Eastern State Hospital, to fill the unexpired term of Hon. G. T. Garnett, resigned, George C. Bland, of King and Queen county.

As a member of the Board of Directors of the State Penitentiary for the term of four years, beginning March 1, 1904, W. D. Chesterman, of Richmond.

As members of the Board of Visitors of the University of Virginia, for the term commencing February 28, 1904: R. Walton Moore, Fairfax county; Eppa Hunton, Jr., Richmond; Daniel Harmon, Charlottesville, and Benjamin F. Buchanan, Smyth county.

A superintendent of schools for the county of Powhatan, to fill the vacancy caused by the death of Dr. William H. Hening, William Upshur Kennon.

On motion of Mr. RISON, the Senate adjourned until to-morrow at 12 o'clock.

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### SATURDAY, FEBRUARY 20, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

*In House of Delegates, February 19, 1904.*

The House of Delegates has passed House bills entitled an act to repeal sections 1295, 1296 and 1297 of the Code of Virginia, No. 56; an act to repeal sections 1334, 1335 and 1336 of the Code of Virginia, No. 57; an act to repeal sections 1304, 1305 and 1309 of the Code of Virginia, No. 58; an act to repeal chapter 817 of the Acts of the General Assembly of 1897-98, approved March 3, 1898; chapter 298 of the Acts of the General Assembly of the extra session of 1901, approved February 16, 1901; chapter 4 of the Acts of the General Assembly of 1895-6, approved December 14, 1895; chapter 299 of the Acts of the General Assembly of 1895-6, approved February 12, 1896; chapter 405 of the Acts of the General Assembly of 1901-2, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-8, approved March 3, 1898, No. 59; an act to repeal sections 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123, section 1124, as amended by an act approved February 13, 1890; sections 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133 and 1134, section 1135, as amended by an act ap-

proved January 9, 1896; sections 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143 and 1144, section 1145, as amended by an act approved February 20, 1892, and by an act approved January 17, 1896, and by an act approved April 2, 1901; sections 1146 and 1147, section 1148, as amended by an act approved February 17, 1890; sections 1149, 1150, 1151, 1152 and 1153 of chapter 47 of the Code of Virginia, No. 61; an act to repeal chapter 630 of the Acts of the General Assembly of 1893-'4, approved March 5, 1894; chapter 192 of the Acts of the General Assembly of 1887-'8, approved February 23, 1888; chapter 373 of the Acts of the General Assembly of 1887-'88, approved March 2, 1888; chapter 450 of the Acts of the General Assembly of 1887-'8, approved March 5, 1888; chapter 67 of the Acts of the General Assembly of 1889-'90, approved February 17, 1890; chapter 167 of the Acts of the General Assembly of 1889-'90, approved March 3, 1890; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 614 of the Acts of the General Assembly of 1891-'2, approved March 3, 1892; chapter 52 of the Acts of the General Assembly of 1893-'4, approved January 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-'4, approved March 5, 1894; chapter 270 of the Acts of the General Assembly of 1895-'6, approved February 11, 1896; chapter 181 of the Acts of the General Assembly of 1897-'8, approved February 1, 1898, as amended by an act approved December 24, 1899, and by an act approved March 13, 1903; chapter 226 of the Acts of the General Assembly of 1899-1900, approved January 30, 1900, as amended by an act approved February 15, 1901; chapter 312 of the Acts of the General Assembly of 1899-1900, approved February 9, 1900, as amended by an act approved February 16, 1901; chapter 328 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 880 of the Acts of the General Assembly of 1899-1900, approved March 6, 1900; chapter 64 of the Acts of the General Assembly of 1901-'2, approved January 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-'2, approved April 2, 1902; section 2 of chapter 438 of the Acts of the General Assembly of 1893-'4, approved February 27, 1894; chapter 346 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 689 of the Acts of the General Assembly of 1899-1900, approved March 2, 1900, and chapter 966 of the Acts of the General Assembly of 1899-1900, approved March 7, 1900, No. 62; an act to amend and re-enact section 2197, chapter 99, Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 30, 1890, and by an act approved February 14, 1896, so as to require the cremation or burial of all animals or fowls that died from infectious disease, and fixing the penalties for violation thereof, No. 65; and an act to amend and re-enact section

1 of the act entitled "an act to define the powers and limitations of building and loan associations," approved March 1, 1894, No. 66.

In which they request the concurrence of the Senate.

No. 56, House bill to repeal sections 1295, 1296 and 1297 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

No. 57, House bill to repeal sections 1334, 1335 and 1336 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

No. 58, House bill to repeal sections 1304, 1305 and 1309 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

No. 59, House bill to repeal chapter 817 of the Acts of the General Assembly of 1897-'98, approved March 3, 1898; chapter 298 of the Acts of the General Assembly of the extra session of 1901, approved February 16, 1901; chapter 4 of the Acts of the General Assembly of 1895-'6, approved December 14, 1895; chapter 299 of the Acts of the General Assembly of 1895-'6, approved February 12, 1896; chapter 405 of the Acts of the General Assembly of 1901-'2, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-'8, approved March 3, 1898, was taken up and referred to the Committee for Courts of Justice.

No. 61, House bill to repeal sections 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123, section 1124, as amended by an act approved February 13, 1890; sections 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133 and 1134, section 1135, as amended by an act approved January 9, 1896; sections 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143 and 1144, section 1145, as amended by an act approved February 20, 1892, and by an act approved January 17, 1896, and by an act approved April 2, 1902; sections 1146 and 1147, section 1148, as amended by an act approved February 17, 1890; sections 1149, 1150, 1151, 1152 and 1153 of chapter 47 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

No. 62, House bill to repeal chapter 630 of the Acts of the General Assembly of 1893-'4, approved March 5, 1894; chapter 192 of the Acts of the General Assembly of 1887-'8, approved February 23, 1888; chapter 373 of the Acts of the General Assembly of 1887-'8, approved March 2, 1888; chapter 450 of the Acts of the General Assembly of 1887-'8, approved March 5, 1888; chapter 67 of the Acts of the General Assembly of 1889-'90, approved February 17, 1890; chapter 167 of the Acts of the General Assembly of 1889-'90, approved March 3, 1890; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 614 of the

Acts of the General Assembly of 1891-'2, approved March 3, 1892; chapter 52 of the Acts of the General Assembly of 1893-'4, approved January 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-'4, approved March 5, 1894; chapter 270 of the Acts of the General Assembly of 1895-'6, approved February 11, 1896; chapter 181 of the Acts of the General Assembly of 1897-'8, approved February 1, 1898, as amended by an act approved December 24, 1899, and by an act approved March 13, 1903; chapter 226 of the Acts of the General Assembly of 1899-1900, approved January 30, 1900, as amended by an act approved February 15, 1901; chapter 312 of the Acts of the General Assembly of 1899-1900, approved February 9, 1900, as amended by an act approved February 16, 1901; chapter 328 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 880 of the Acts of the General Assembly of 1899-1900, approved March 6, 1900; chapter 64 of the Acts of the General Assembly of 1901-'2, approved January 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-'2, approved April 2, 1902; section 2 of chapter 438 of the Acts of the General Assembly of 1893-'4, approved February 27, 1894; chapter 346 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 689 of the Acts of the General Assembly of 1899-1900, approved March 2, 1900, and chapter 966 of the Acts of the General Assembly of 1899-1900, approved March 7, 1900, was taken up and referred to the Committee for Courts of Justice.

No. 65, House bill to amend and re-enact section 2197, chapter 99, of the Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 30, 1890, and by an act approved February 14, 1896, so as to require the cremation or burial of all animals or fowls that die from contagious or infectious diseases, and fixing the penalties for violation thereof, was taken up and referred to the Committee on General Laws.

No. 66, House bill to amend and re-enact section 1 of the act entitled "an act to define the powers and limitations of building and loan associations," approved March 1, 1894, was taken up and referred to the Committee on General Laws.

Mr. OPIE, by leave, presented

No. 167, A bill appointing a commission to delineate the positions of the Botetourt (Virginia) artillery, in the campaign and defence of Vicksburg, Miss.; and to erect, in the Vicksburg National Military Park, a memorial tablet to the deeds and services of said company, and appropriating \$——— therefor.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SADLER, by leave (by request), presented.

No. 168, A bill to provide for the purchase and distribution of 2,000 copies of the second edition of Heart's Guide and Manual.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. MACHEN, by leave, presented

No. 169, A bill to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903, entitled "an act to amend and re-enact chapter 23 of the Code of Virginia, in relation to the assessment of lands and lots.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. SADLER, by leave (by request), presented

No. 170, A bill to authorize the judge of the Circuit Court of Goochland county to appoint a board of county road commissioners for Goochland county, and to define their duties in connection with working the public roads of said county, and to increase the county road levy necessary therefor.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SHANDS, by leave, presented

No. 171, A bill to provide punishment for maliciously or unlawfully shooting at, or throwing stones or other missiles at or against, any train or car of any railroad or other transportation company, or at or against any vessel or river craft.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. SHANDS, by leave, presented

No. 172, A bill to provide punishment for maliciously or unlawfully obstructing, removing or injuring any part of a canal or railroad or any bridge or fixture thereof, or for maliciously or unlawfully obstructing, tampering with or injuring any machinery, engine, car or work thereof, or for maliciously or unlawfully opening, closing, displacing, tampering with or injuring any switch, switch point or switch lever or signal of any railroad company.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. GARRETT, by leave, presented

No. 173, A bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Henry, Virginia, and to prohibit the sale, barter or exchange of such liquors in said town, except as provided by this act.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. BYARS, by leave, presented

No. 174, A bill to authorize the city of Bristol, Virginia, to make an additional issue of bonds for water-works improvement.



On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. J. N. HARMAN, by leave, presented

No. 175, A bill to amend and re-enact sections 3340 and 3341 of the Code of Virginia, so as to allow the contents of any paper which has been filed in any county, circuit or corporation court, or in its clerk's office, to be proved before a commissioner; and to authorize the judges of circuit and corporation courts to make such order in vacation as may be necessary to secure to persons seeking to prove the contents of any will, deed or other paper which has been filed in the clerks' offices of said courts, or of the county courts, or recorded in any book therein, and which is lost or illegible, the benefits thereof.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 35, Senate bill to prevent the unauthorized use of the name or picture of any person for the purpose of trade or for advertising purposes, was taken up.

Mr. FULTON moved to reconsider the vote by which the bill was ordered to be engrossed, which was agreed to.

Mr. FULTON offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed, and being forthwith engrossed, on his further motion, was passed with its title by the following vote—yeas, 22; nays, none.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, J. N. Harman, Holt, Keezell, Machen, Massie, Noel, Ople, Phlegar, Sale, Shackelford, Shands, Tavenner, and Wickham—22.

NAYS—None.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound net, purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act, was taken up.

Mr. KEEZELL offered an amendment, as follows: "Line 5," after "taking" insert "or." Same line, strike out all after "catching" to and including "therein" in same line, and insert "oysters from the natural rocks, beds or shoal of the State," which was rejected by the following vote—yeas, 10; nays, 13.

Senators who voted are :

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Ford, Fulton, Keezell, Massie, Sale, and Wickham—10.

**NAYS**—Messrs. Barksdale, Garrett, Greear, J. N. Harman, Holt, Machen, Noel, Ople, Phlegar, Sears, Shands, Tavenner, and Walker—13.

The bill was then ordered to be engrossed and read a third time. Mr. WALKER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and it was rejected by the following vote—yeas, 14; nays, 9.

Senators who voted are :

**YEAS**—Messrs. Barksdale, Garrett, Greear, J. N. Harman, Holt, Machen, Noel, Ople, Phlegar, Sale, Sears, Shands, Tavenner, and Walker—14.

**NAYS**—Messrs. Anderson, Byars, Campbell, Chapman, Ford, Fulton, Keezell, Massie, and Wickham—9.

Mr. WALKER moved to reconsider the vote by which the bill was ordered to be engrossed, which was rejected.

All other business having been suspended, the PRESIDENT, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

No. 84, House bill to amend and re-enact section 3059 of the Code of Virginia, as amended by an act entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code of Virginia, as heretofore amended," approved December 20, 1903."

No. 45, House bill to amend and re-enact section 43 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903."

No. 20, House bill to amend and re-enact section 836 of the Code of Virginia, as amended by an act entitled an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

No. 132, Senate bill to amend section 998 of the Code of Virginia, was taken up, and, on motion of Mr. WALKER, the bill was recommitted to the Committee on General Laws.

No. 53, Senate bill to amend and re-enact section 3049, as amended by an act approved May 20, 1903, as amended by an act ap-

proved December 12, 1903, with a substitute, was taken up, and the substitute adopted.

The bill, as amended by the substitute, was then ordered to be engrossed and read a third time.

No. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1894, relating to the sale of goods and chattels in certain cases, with committee amendments, was taken up, committee amendment adopted, ordered to be engrossed and read a third time.

No. 121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved February 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, and by an act approved February 12, 1898, approved February 17, 1900, was taken up.

Mr. WALLACE offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed and read a third time.

Mr. PHLEGAR moved that the chair be vacated at 2 o'clock and resumed at 4 o'clock, which was agreed to.

Mr. SHANDS, by leave, presented

No. 176, A bill to authorize and empower P. D. Gwaltney, Jr., to build and maintain a wharf, in Pagan creek, near the town of Smithfield, in the county of Isle of Wight.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. SALE, by leave, presented

No. 177, A bill to authorize the councils of any city or town to provide conduits, either by having the same constructed themselves or by acquiring the same by purchase, lease or condemnation, and to require telephone, telegraph, fire alarm, electric light and all other wires and cables except trolley wires, or such of them as the councils may determine, to be placed in the same, and to prescribe regulations and rentals for the use thereof, and to authorize the appointment of an electrical commission.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organizations.

Mr. SALE, by leave, presented

No. 178, A bill to amend and re-enact section 37 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt and to provide a special tax for pensions, as authorized by section 189 of the Constitution," approved April 16, 1903.

motion, the bill being partially read, it was referred to the  
on Finance and Banks.

E, by leave, presented

A bill to amend and re-enact an act entitled "an act to  
re-enact section 3184 of the Code of Virginia, 1887, to  
general index to deed-books and other records, approved  
9, 1892, and to provide for the verification of same.

motion, the bill being partially read, it was referred to the  
for Courts of Justice.

Senate bill to amend and re-enact the second clause of  
of the Code of Virginia, as amended and re-enacted by  
titled "an act to amend and re-enact title 8 of the Code of  
in relation to salaries, mileage and other allowances," ap-  
probruary 7, 1903, with committee amendments, was taken  
committee amendments adopted, ordered to be engrossed and  
d time.

Senate bill to amend and re-enact sections 249, 253, 254,  
59 and 260 of the Code of Virginia and Acts amendatory  
relation to the duties of the Secretary of the Common-  
board of directors of the State Library and concerning  
and certain other libraries, with committee amendments,  
up, read the second time, and committee amendments

ALKER offered an amendment, which was adopted.

on of Mr. BARKSDALE, the chair was vacated until 4  
M.

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## EVENING SESSION.

SATURDAY, FEBRUARY 20, 1904.

nt-Governor JOSEPH E. WILLARD in the chair.

owing bills were taken up and read the second time:

Senate bill to provide for the extension of the corporate  
ies and towns.

Senate bill in relation to fish ladders on the Rapidan  
en the counties of Culpeper, Orange and Madison.

Senate bill to extend the time of all city officers in cities  
or over where officers are appointed by city councils of  
which have not heretofore had two branches of council,  
required by the Constitution, and to provide for the elec-  
r successors.

Senate bill to appropriate the sum of \$60,000 to add to  
re the buildings of the State Female Normal School at

Farmville, and to increase the annual appropriation to said school from \$25,000 to \$30,000.

No. 86, Senate bill to appropriate the sum of \$200,000 to provide buildings, equipment and improvement for the Virginia Polytechnic Institute, was taken up, read the second time, and, on motion of Mr. PHLEGAR, made the special and continuing order of the day for Wednesday, February 24, 1904, at 12:30 o'clock P. M.

The following bills were taken up and read the first time :

No. 51, House bill to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law.

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898.

No. 143, Senate bill to amend and re-enact sections 1433, 1437, 1445, 1449, 1450, 1454, 1459, 1466, 1484 and 1515 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact chapter 66 of the Code of Virginia, relating to public free schools for counties and to the literary fund," approved December 28, 1903.

No. 144, Senate bill to amend and re-enact sections 1528, 1531 and 1538 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 67 of the Code of Virginia, in relation to public free schools in cities and towns constituting separate school districts," approved December 31, 1903.

No. 104, Senate bill to provide for evidence of the prepayment of State poll taxes by voters transferred from one city or county to another city or county.

No. 96, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor.

No. 37, Senate bill to amend and re-enact section 161 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact sections 157, 158, 159, 160 and 161 of the Code of Virginia, approved December 10, 1903, so as to allow appeal in contested election cases.

No. 84, Senate bill to amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact section 50 of chapter 7 of the Code of

in relation to the apportionment of representation in Congress, approved February 15, 1892.

Senate bill to provide for the election of United States Senator by primary election.

Senate bill to amend and re-enact section 62 of chapter 1 of the Code of Virginia, as amended by act approved December 18, 1890.

Senate bill to amend and re-enact section 3532 of the Code of Virginia, as amended and re-enacted by an act approved April 2, 1894, 1890, as amended and re-enacted by an act approved April 2, 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer.

Senate bill making it a misdemeanor to desert without notice or wilfully neglect to provide for the support and maintenance of any person of his wife or minor children in destitute or distressed circumstances, and to provide a penalty therefor.

Senate bill to amend and re-enact section 2942 of the Code of Virginia, 1887, in relation to how and when warrant returnable by a justice of the peace may be given, and in relation to how a justice may associate with him, and whose opinion to prevail.

Senate bill to amend and re-enact an act entitled an act to make husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902.

Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to the same," approved February 23, 1894.

Senate bill to require interest to be paid upon all State, county, district and municipal taxes or levies remaining unpaid on the first of June in the year next after that in which the same may be assessed or assessable, and to prescribe the date from which interest shall be charged.

Senate bill to amend and re-enact section 746 of the Code of Virginia, so as to limit the right to bring suit upon claims against the Commonwealth.

On motion of Mr. BARKSDALE, the Senate adjourned until Monday next at 12 o'clock.

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MONDAY, FEBRUARY 22, 1904.

At *pro tem*. HENRY T. WICKHAM in the chair.

Journal of Saturday was read by the Clerk.

CLAIR, by leave, presented

Senate bill to amend and re-enact an act entitled "an act to

provide for the establishment, alteration, discontinuance, and working and keeping in repair the roads and bridges of Giles county, and to punish obstructions of the road commissioners in the discharge of their duties," and also to punish road officials of Giles county for neglect of their official duties.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. ST. CLAIR, by leave, presented

No. 181, Senate bill to amend and re-enact section 11 of chapter 2 of the charter of the town of Bondtown, in Wise county.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. CAMPBELL, by leave (by request), presented

No. 182, Senate bill to submit to the qualified voters of the city of Buena Vista, Virginia, at a special election to be held therefor, the question of the establishment of a dispensary for the sale of intoxicating liquors therein.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. PHLEGAR, by leave, presented

No. 183, Senate bill to repeal an act entitled "an act to provide for the garnishment and levy of execution on wages and salaries of the State officials, clerks and employees," approved February 24, 1900, as amended by an act approved April 15, 1903, which is chapter 146 of the Acts of the special session of 1902-3-4.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. ANDERSON, by leave, presented

No. 184, Senate bill to amend and re-enact section 5 of the charter of the city of Richmond, as amended and re-enacted by an act approved March 29, 1871, relating to the election of municipal officers.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act, was taken up, read the third time, and, on motion of Mr. WALKER, passed by.

No. 53, Senate bill to amend and re-enact section 3049, as amended by an act approved May 20, 1903, as amended by an act approved

12, 1903, was taken up, read the third time, and passed by the following vote—ayes, 21; nays, 0.  
 who voted are:

ssrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
 n, Greear, Harman, A. C., Harman, J. N., Massie, Noel, Ople,  
 ars, St. Clair, Tavenner, Turner, Walker and Wickham—21.

ne.

3, Senate bill to amend and re-enact section 2462 of the  
 Virginia, as amended by an act approved February 23, 1894,  
 the sale of goods and chattels in certain cases, was taken  
 ad the third time.

inimous consent, Mr. PHLEGAR offered an amendment,  
 adopted.

ion of Mr. ANDERSON, the bill was passed by.

, Senate bill to amend and re-enact an act entitled an act  
 and re-enact an act entitled an act to amend and re-enact  
 amend and re-enact section 3319 of chapter 163, Code of  
 in relation to the appointment of commissioners in chan-  
 mended and re-enacted by an act approved February 4,  
 by an act approved February 24, 1890, and by an act ap-  
 bruary 24, 1892, and by an act approved January 29,  
 by an act approved February 27, 1894, and by an act  
 January 18, 1896, and by an act approved February 12,  
 roved February 17, 1900, was taken up and read the third

inimous consent, Mr. NOEL offered an amendment, which  
 ed.

ion of Mr. BARKSDALE, the bill was passed by.

EEAR, by leave, presented

, Senate bill to amend and re-enact an act to amend and re-  
 on 2260 of the Code of Virginia, relating to proceedings for

motion, the bill being partially read, it was referred to the  
 e for Courts of Justice.

House bill to amend and re-enact sections 826, 831, 832,  
 835, 836, 838, 840, 841, 846, 847, 849, and 850, and to  
 ion 839 of the Code of Virginia, approved December 31,  
 taken up and read the second time.

Senate bill to amend and re-enact an act entitled an act to  
 the governor to grant conditional pardon to persons con-  
 e penitentiary upon recommendation of the board of direc-  
 d institution, approved March 3, 1898, as amended by an



act approved February 3, 1900, as amended by an act approved March 1, 1903.

Mr. J. N. HARMAN moved that the Committee on Public Institutions and Education be discharged from further consideration of the bill, which was agreed to by the following vote—ayes, 23; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Keezell, Marshall, Noel, Opie, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Williams—23.

**NAYS**—None.

No. 43, House bill construing the term "railroad" and the term "railway" to mean the same thing in law, with committee amendments, was taken up, read the second time, and the committee amendments adopted.

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898, was taken up and read the second time.

No. 72, Senate bill to amend and re-enact sections 249, 253, 254, 255, 258, 259 and 260 of the Code of Virginia and acts amendatory thereof, in relation to the duties of the Secretary of the Commonwealth and Board of Directors of the State Library, and concerning the State and certain other libraries, was taken up, ordered to be engrossed and read a third time.

No. 125, Senate bill to provide a commission to investigate the methods of accounting employed in the State and its subdivisions, and officers whose duty it is to collect and disburse the public revenues, with committee substitute, was taken up and read the second time.

On motion of Mr. KEEZELL, the bill was passed by.

No. 107, Senate bill in relation to fish ladders on the Rapidan river between the counties of Culpeper, Orange and Madison, was taken up, ordered to be engrossed and read a third time.

No. 145, Senate bill to amend and re-enact section 746 of the Code of Virginia so as to limit the right to bring suit upon contracts against the Commonwealth, was taken up, read the second time, and ordered to be engrossed and read a third time.

No. 21, Senate bill to extend the time of all city officers in cities of ten thousand or over where officers are appointed by the councils of said cities, which have not heretofore had two branches of council, as is now required by the Constitution, and to pro-

section of their successors, was taken up, read the second time, on motion of Mr. ANDERSON, passed by.

Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the Governor's office, the State Library building, and the State Capitol, and to the removal of the heat and power plants now in said building, was taken up, read the second time, and, on motion of Mr. ANDERSON, passed by.

On the special and continuing order of the day, the hour of the clock having arrived, was taken up, and, on motion of Mr. ANDERSON, passed by until Wednesday, February 24, 1904.

Senate bill to amend and re-enact sections 1433, 1437, 1439, 1450, 1454, 1459, 1466, 1484, and 1515 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact chapter 66 of the Code of Virginia, relating to public free schools in counties and to the literary fund," approved December 31, 1903, was taken up, read the second time, ordered to be engrossed and read a third time.

MR. ZEVELL moved to reconsider the vote by which the bill was passed, which was agreed to.

MR. ZEVELL offered amendments, which were adopted.

On his further motion, was passed by.

Senate bill to amend and re-enact sections 1528, 1531 and 1532 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 67 of the Code of Virginia, relating to public free schools in cities and towns constituting separate school districts," approved December 31, 1903, was taken up, read the second time, and, on motion of Mr. ANDERSON, passed by.

MR. ZEVELL offered amendments, which were adopted.

On his further motion, was passed by.

Senate bill to provide for evidence of the prepayment of taxes by voters transferred from one city or county to another city or county, was taken up, read the second time, ordered to be engrossed and read a third time.

Senate bill to amend and re-enact section 161 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact sections 157, 158, 159, 160 and 161 of the Code of Virginia, approved December 10, 1903, so as to allow appeal in election cases," was taken up, read the second time, and, on motion of Mr. ANDERSON, passed by.

Senate bill to amend and re-enact section 62 of chapter 67 of the Code of Virginia, as amended by act approved December 8, 1903, was taken up, read the second time, and, on motion of Mr. ANDERSON, passed by.

Senate bill to amend and re-enact section 3532 of the Code of Virginia, as amended by act approved December 8, 1903, was taken up, read the second time, and, on motion of Mr. ANDERSON, passed by.

of Virginia, as amended and re-enacted by an act approved February 24, 1890, as amended and re-enacted by an act approved March 1898, entitled an act to amend and re-enact section 3532 of the Code of Virginia, in relation to fees of a jailer, with committee amendments, was taken up, read the second time, committee amendments adopted, and, on motion of Mr. SADLER, passed by.

No. 133, Senate bill to amend and re-enact section 2942 of the Code of Virginia, 1887, in relation to how and when warrant tried and judgment given, and in relation to how a justice may associate justices with him, and whose opinion to prevail, was taken up, read the second time, and, on motion of Mr. FORD, passed by.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow at 12 o'clock.

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## TUESDAY, FEBRUARY 23, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their Clerk, was read as follows:

### *In the House of Delegates, February 22, 1904*

The House of Delegates has passed Senate bill entitled an act to amend and re-enact sections 2 and 3 of chapter 2, and sections 40 and 63 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which is contained in chapter 270 of the acts of the General Assembly for extra sessions 1902-3-4, No. 60.

They have passed, with amendment, Senate bill entitled an act to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, No. 97.

They have passed House bills entitled

An act for working the roads and building and repairing bridges in Caroline county, No. 74.

An act for working and keeping in repair the public roads and bridges in the county of Appomattox, No. 75.

An act to amend and re-enact section 17 of an act entitled an act to raise revenue for the support of the government and public

and to pay the interest on the public debt, and to provide a  
for pensions, as authorized by section 189 of the Consti-  
approved April 16, 1903, as amended by an act entitled an  
revenue, etc., approved December 12, 1903, No. 78.

to amend and re-enact section 2693 of the Code of Virginia,  
to posting lists of fiduciaries by commissioners of ac-  
No. 81.

to amend and re-enact section 2690 of the Code of Virginia,  
to notice to be given by commissioners of accounts, No.

to require assignees of judgments to cause assignments to be  
on the judgment docket, No. 85.

to amend and re-enact sections 420 and 421 of an act to  
and re-enact title 12 of the Code of Virginia, in relation to the  
bt, approved December 17, 1903, No. 87.

to amend and re-enact section 3885 of the Code of Virginia,  
provide for the punishment of accessories after the fact, No.

to amend and re-enact section 152 of the Code of Virginia,  
as to how election of members of the General Assembly  
No. 89.

requiring the county and district school boards to make and  
an annual statement of receipts and disbursements, and pro-  
penalty for failing to do so, No. 90.

in relation to the commitment of minors to the Prison As-  
of Virginia, their custody therein, the compensation for  
uses of such custody, and their discharge therefrom, No. 91.

to authorize persons appointed to office in vacation by the  
Circuit Courts to qualify before the clerk of such court in  
as well as before the judge thereof in vacation, No. 92.

to authorize C. H. Gwaltney, W. H. Berryman, Geo. A.  
and others to erect a wharf on James river, in Surry county,

for the protection of squirrels in Southampton and Isle of  
unties, No. 100.

to prohibit the establishment, location or maintenance of  
hospitals or pest-houses within fifty yards of any street,  
ad, public park or public cemetery in any city, town or  
the Commonwealth, or to hereafter establish any such hos-  
est-house within one hundred and fifty yards of any public  
lic park or cemetery in any county of the Commonwealth,

to amend and re-enact section 3916 of the Code of Virginia,

as amended and re-enacted by an act approved December 24, 1903, No. 106.

An act to authorize the erection of a bronze statue of Governor William Smith on the Capitol Square, in the city of Richmond, No. 109.

An act to require the State Board of Medical Examiners to preserve the examination papers of all applicants for examination, No. 111.

An act to amend and re-enact section 906 of the Code of Virginia, and to repeal section 907 of the Code of Virginia concerning property levied on or distrained by an officer, No. 112.

An act to repeal section 2507 of the Code of Virginia, as amended by an act approved March 3, 1898, No. 113.

An act to amend and re-enact sections 2434 and 2618 of the Code of Virginia, No. 117.

In which they request the concurrence of the Senate.

No. 99, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia, as amended by act approved January 11, 1904, in relation to selection and peremptory challenge of jurors in civil cases, with House amendment. The Senate concurred in House amendment by the following vote—ayes, 30; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Keezell, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sears, Shackelford, Shands, Tavenner, Turner, Walker, Wallace and Wickham—30.

**NAYS**—None.

No. 74, House bill for working the roads and building and repairing the bridges in Caroline county, was taken up and referred to the Committee on Counties, Cities and Towns.

No. 75, House bill for working and keeping in repair the public roads and bridges in the county of Appomattox, was taken up and referred to the Committee on Counties, Cities and Towns.

No. 78, House bill to amend and re-enact section 17 of an act entitled an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903, as amended by an act entitled an act to raise revenue, etc., approved December 12, 1903, was taken up and referred to the Committee on Finance and Banks.

No. 81, House bill to amend and re-enact section 2693 of the Code

ia, in reference to posting lists of fiduciaries by commiss-accounts, was taken up and referred to the Committee for Justice.

House bill to amend and re-enact section 2690 of the Code ia, in reference to notice to be given by commissioners of was taken up and referred to the Committee for Courts of

House bill to require assignees of judgments to cause as- to be entered upon the judgment docket, was taken up and o the Committee for Courts of Justice.

House bill to amend and re-enact sections 420 and 421 of amend and re-enact title 12 of the Code of Virginia, in rela- public debt, approved December 17, 1903, was taken up ed to the Committee on Finance and Banks.

House bill to amend and re-enact section 3885 of the Code a, so as to provide for the punishment of accessories after was taken up and referred to the Committee for Courts of

House bill to amend and re-enact section 152 of the Code n relation to how election of members of the General As- tested, was taken up and referred to the Committee on and Elections.

House bill requiring the several county and district school Virginia to make and publish annually a statement of re- disbursements, and providing a penalty for failing to do en up and referred to the Committee on Public Institutions tion.

House bill in relation to the commitment of minors to the ociation of Virginia, their custody therein, the compensa- and expenses of, such custody, and their discharge there- taken up and referred to the Committee for Courts of Jus-

House bill to authorize persons appointed to office in va- he judges of Circuit Courts to qualify before the clerk of in his office, as well as before the judge thereof in vaca- taken up and referred to the Committee for Courts of Jus-

House bill to authorize C. H. Gwaltney, W. H. Berry- ge A. Savedge and others to erect a wharf on James river, county, was taken up, read the first time and referred to ittee on General Laws.

House bill for the protection of squirrels in Southampton s taken up and referred to the Committee on Counties, Towns.

No. 104, House bill to prohibit the establishment, location, or maintenance of small-pox hospitals or pest-houses within fifty yards of any street, public road, public park, or public cemetery in any city, town, or county of the Commonwealth, or to hereafter establish any such hospital or pest-house within one hundred and fifty yards of any public road, public park, or cemetery, in any county of the Commonwealth, was taken up and referred to the Committee on General Laws.

No. 106, House bill to amend and re-enact section 3916 of the Code of Virginia as amended and re-enacted by an act approved December 24, 1903, was taken up and referred to the Committee for Courts of Justice.

No. 109, House bill to authorize the erection of a bronze statue of Governor William Smith on the Capitol Square, in the city of Richmond, was taken up and referred to the Committee on General Laws.

No. 111, House bill to require the State Board of Medical Examiners to preserve the examination papers of all applicants for examination, was taken up and referred to the Committee on General Laws.

No. 112, House bill to amend and re-enact section 906 of the Code of Virginia and to repeal section 907 of the Code of Virginia, concerning property levied on or distrained by an officer, was taken up and referred to the Committee for Courts of Justice.

No. 113, House bill to repeal section 2507 of the Code of Virginia, as amended by an act approved March 3, 1898, was taken up and referred to the Committee for Courts of Justice.

No. 117, House bill to amend and re-enact sections 2434 and 2618 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

Mr. MANN, from the Committee on Privileges and Elections, presented the following report in the contested election case of E. S. Keen vs. S. T. Turner:

Your committee, having carefully read the record and heard the arguments of counsel in the contested election case of E. S. Keen vs. S. T. Turner, begs leave to report that there are three questions raised by the notice of contestant and the answer of contestee, to which they deem it necessary to refer:

1st. That one of the supervisors of Franklin county acted as judge of election at Long Branch precinct.

2nd. That the voting place was deserted for about an hour during the day by the judges and clerks of election for the purpose of eating dinner, and that during that time the ballot-box and official ballots were left on the table in the voting place unprotected; and,

that there was a large quantity of liquor used at Long Branch in Franklin county, for the purpose of influencing the election of the friends of the contestee, with his knowledge and consent. The law governing contested elections may be briefly stated as follows:

Whenever the election has been fairly held, and the returns show the will of the people, no irregularities, either in the appointment of election officers, or the manner in which they discharge their duties, shall be regarded by the tribunal before which the said election is brought.

Where there is no proof of fraud or misconduct on the part of the supervisor who was appointed as judge of election at Long Branch precinct, answers the question in favor of the contestee.

The Constitution declares that no elective officer appointed a judge of election in the absence of any requirement shall be qualified to hold the office. The election held by him as one of the judges shall be void, and the question we are considering. There is no difference between the Constitution and a legislative enactment not prohibited by the Constitution.

And while the Electoral Board may be liable to a penalty for appointing an elective officer a judge of election, his appointment will not of itself vitiate the election.

The second contention of the contestant is not, in the opinion of the committee, supported by proof. There is evidence that one of the judges of election was during the entire recess so situated in reference to the polling place that no man could go in the door without being seen by him. It is true that the evidence shows that the voting might have been entered through the windows on the side of the building without the person entering being seen by either of the judges or the clerks, but there is absolutely no evidence upon which a presumption can be based, except its possibility. On the contrary, the evidence shows that when the ballots in the box were counted they agreed with the names on the poll-books. And there is no evidence in the absence of all evidence which raises even the suspicion of fraud. The action of the judges was characterized by an honest care which leaves no doubt on the part of the committee of their integrity, nor is there any doubt that the returns from this precinct show the number of votes and the candidates for which they were cast.

Considering the third question, the evidence conclusively shows that a large quantity of liquor was used by the friends of the contestee at Long Branch precinct, and it is fair to presume that it was used for the purpose of influencing the election. And this the



committee strongly condemns, and declares without hesitation that if the evidence had shown that this was done with the knowledge and consent of the contestee, it would recommend that the election be set aside. But the contestee, in his deposition, testified that he had instructed his friends not to use liquor at the election, and that he did not know of, and did not consent to, its use at Long Branch precinct. The evidence shows that the contestee went to Long Branch early in the morning on the day of the election, and remained until two o'clock, and it was argued for the contestant that he must have known what was going on at that precinct. The committee, however, upon this point, had doubts which it has solved in favor of the returns of the election officers and the contestee, and respectfully recommends the adoption by the Senate of the following resolutions:

Resolved, That E. S. Keen was not elected, and is not entitled to a seat in the Senate from the Twenty-sixth District, composed of the counties of Franklin and Floyd; and

Resolved, That S. T. Turner was elected and is entitled to a seat in the Senate from the Twenty-sixth District.

Respectfully submitted,

WM. HODGES MANN,  
GEORGE S. SHACKELFORD,  
G. M. WALLACE,  
F. S. TAVENNER,  
JOHN F. GREER,  
GEORGE T. RISON,  
WM. P. BARKSDALE,  
S. W. HOLT,  
W. W. SALE,  
P. F. ST. CLAIR.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, without amendments

No. 10, House bill to amend and re-enact section 3500 of the Code of Virginia as amended and re-enacted by an act approved December 31, 1903.

Mr. KEEZELL, from the Committee on Finance and Banks, reported, without amendments.

No. 147, Senate bill to amend and re-enact an act entitled an act to appropriate certain sums of money from the public treasury in aid of Confederate Memorial Associations having in charge cemeteries containing the graves of Confederate soldiers,\* approved February 8 1904,

He, also, reported from the same committee, with amendments

No. 139, Senate bill making an appropriation for the benefit of the Virginia Horticultural Society.

He, also, reported, with amendments

No. 163, Senate bill to amend and re-enact section 25 of an act entitled an act to raise revenue for support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 189 of the Constitution, approved April 16, 1903.

He, also, reported, from the same committee, without amendments

No. 165, Senate bill to repeal the joint resolution adopted March 1, 1888, transferring to Mount Vernon Association a claim of the State of Virginia against the United States government.

Mr. KEEZELL, from the Committee on Public Institutions and Education, reported, with amendments.

No. 48, House bill to authorize Brookland school district of Henrico county to borrow \$5,000.00 and issue bonds therefor, to be used for paying for a school-house at Dumbarton, in said county, and to do other building.

He, from the same committee, reported, without amendments

No. 70, House bill authorizing the Board of Supervisors of Prince William county to issue bonds and appropriate the proceeds thereof to the establishment of a State Normal School for girls in said county.

A message was received from the House of Delegates by Mr. DUKE, who informed the Senate that that House had passed the following joint resolution:

Whereas, Hon. William J. Bryan is now on a visit to the city of Richmond; therefore be it

Resolved by the House of Delegates, the Senate concurring, That three members of the House to be appointed by the Speaker, and two members of the Senate, to be appointed by its President, be, and they are, hereby appointed a joint committee to wait upon Mr. Bryan and invite him to appear before the General Assembly and meet the members thereof.

Mr. McILWAINE offered an amendment, which was adopted.

Mr. WALKER offered an amendment, which was adopted.

The joint resolution, as amended, was adopted.

On motion of Mr. BARKSDALE, he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. DUKE, who informed the Senate that that House had agreed to the Senate amendments to the House joint resolution.

The PRESIDENT appointed as a committee on the part of the Senate, Messrs. BARKSDALE, SHACKELFORD and MASSIE.

Mr. J. N. HARMAN, by leave, presented

No. 186, Senate bill to amend sections 3146 and 3147 of the Code of Virginia as amended and re-enacted by an act approved December 10, 1902, which is chapter 384 of acts of the extra session of 1902-3-4, relating to juries.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. J. N. HARMAN, by leave, presented

No. 187, Senate bill to amend and re-enact section 4048 of the Code of Virginia as amended by act approved January 2, 1902, which is chapter 553 of acts of the extra session of 1902-3-4, relating to jurors in cases of misdemeanor.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. J. N. HARMAN, by leave, presented

No. 188, Senate bill to provide for the payment of pensioners under the pension act of April 2, 1902, whose claims were not proved and filed in the office of the Auditor of Public Accounts before September 1, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. RISON, by leave, presented

No. 189, Senate bill to amend section 3977 of the Code of Virginia, respecting violation of the Sabbath, so as to provide the right of appeal from judgment in such cases.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. RISON moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—ayes, 31; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chase, Ford, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Keezell, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sears, Shelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace and Ham—31.

NAYS—None.

Mr. RISON moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—ayes, 30; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Izzell, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sears, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—30.

**NAYS**—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—ayes, 31; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sears, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—31.

**NAYS**—None.

And he was ordered to inform the House of Delegates thereof.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, restoration and repair of the State Capitol building, providing for the supervision of the expenditure thereof, and repealing so much of an act approved April, 2, 1902, as appropriates \$100,000 for restoring and repairing said building, et cetera, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. WICKHAM moved to pass by the bill until Wednesday, March 2, 1904.

On motion of Mr. BARKSDALE, the privileges of the floor were extended to the Hon. William Jennings Bryan.

On motion of Mr. McILWAINE, the chair was vacated for fifteen minutes.

A message was received from the House of Delegates by Mr. Thomason, who informed the Senate that that House had passed

No. 118, House bill to amend and re-enact section 24a of the charter of the city of Richmond as prescribed by an act approved February 20, 1886, entitled an act giving authority to the city of Richmond to improve and control roads to the Reservoir and Soldiers' Home, so as to give authority to the city of Richmond to improve and control a road running east from the limits along P street to Thirty-fourth street extended, thence northwardly along Thirty-fourth street extended to Oakwood avenue, thence along Oakwood

avenue to Oakwood cemetery, and to amend section 105 of the city of Richmond providing for the election of justice, as prescribed in an act approved July 11, 1870, certain sections of the city charter, so as to fix the term of said police justice at four years.

The bill was taken up and referred to the Committee on Cities and Towns.

Messrs. HOLT and MANN, by leave, presented

No. 190, Senate bill to amend and re-enact section 142 of the General Assembly of Virginia, entitled an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 16, 1870, and to provide how social clubs chartered since April 16, 1870, obtain license to sell ardent spirits, &c.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

On motion of Mr. BARKSDALE, the Senate adjourned until tomorrow at 12 o'clock.

### WEDNESDAY, FEBRUARY 24, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. F. T. McFaden.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by the Speaker, was read as follows:

#### *In House of Delegates, February 23*

The House of Delegates has passed House bills entitled to amend and re-enact an act to incorporate the town of Salem in Roanoke county, No. 72.

They have agreed to House joint resolution "to request the Auditor of Public Accounts to furnish to this General Assembly a statement showing the amount of money embezzled by J. M. Sheppard, late clerk of the Auditor of Public Accounts."

In which act and resolution they request the concurrence of the Senate.

No. 72, House bill to amend and re-enact an act passed in 1836, entitled an act to incorporate the town of Salem, in the

court (now in Roanoke county), and all acts amendatory was taken up and referred to the Committee on Counties, and Towns.

joint resolution to request and direct the Auditor of Public to furnish to this General Assembly a statement showing amount of money embezzled by Joseph H. Sheppard, late clerk Auditor of Public Accounts, was taken up and referred to the Committee on Finance and Banks.

MARKSDALE, from the Committee on General Laws, reported, amendment

, Senate bill to amend and re-enact section 3813 of the Code of Virginia.

from the same committee, reported, with amendments

8, Senate bill to require any person, firm or corporation employing large bodies of laborers, to have them regularly inspected by the Board of Health of the counties in which they are located.

from the same committee, reported, with a substitute

2, Senate bill to amend section 998 of the Code of Virginia.

3, from the same committee, reported, with amendments

, House bill to amend and re-enact section 1764 of the Code of Virginia, as amended by an act approved March 5, 1894, relating to the practice of pharmacy.

PIE, from the Committee on County, City and Town Ordinances, reported, with amendments:

, House bill to provide the establishment, proper construction and permanent improvement of the public roads and landings, and keeping in good order and repair of all public roads, causeways and wharves in the several counties of this State.

from the same committee, reported, without amendment

3, House bill to amend and re-enact section 847 of the Code of Virginia as amended by an act entitled an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 847, 850, and to repeal section 839 of the Code, approved December 31, 1903.

from the same committee, reported, with amendments

1, House bill to provide for working and keeping in repair of roads and bridges in the counties of Sussex and Greensville, and to determine what tax shall be used for keeping the same in order.

from the same committee, reported, with amendments

3, Senate bill authorizing the board of supervisors of Patrick and Wythe counties, respectively, to levy a capitation tax for school purposes.

from the same committee, reported, without amendment

18, House bill to amend and re-enact section 24a of the Code of the city of Richmond, as prescribed by an act approved Feb-

ruary 20, 1886, entitled an act giving authority to the city of Mond to improve and control roads to the Reservoir and Sol Home, so as to give authority to the city of Richmond to improve and control a road running east from the corporate limits along street to Thirty-fourth street extended, thence northwardly to Thirty-fourth street extended to Oakwood avenue, thence along Oakwood avenue to Oakwood Cemetery, and to amend section 105 of the charter of the city of Richmond providing for the election of a police justice, as prescribed in an act approved July 11, 1870, amend certain sections of the city charter, so as to fix the term of office of said police justice at four years.

He, from the same committee, reported, with the recommendation that it do not pass

No. 60, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled an act to provide for working, building and keeping in repair the public roads and bridges in Grant county.

Mr. BRYANT, of the Special Joint Committee on Special, Private and Local legislation, respectfully reports that the object of

No. 105, Senate bill to authorize the town of Strasburg to issue bonds not liable to corporation taxation and to borrow money for the purpose of establishing water works for said town and for other purposes, cannot be reached by general laws.

The bill was taken up and referred to the Committee on Counties, City and Town Organization.

He, from the same committee, also reports that the objects of

No. 106, Senate bill to amend and re-enact the first section of an act to incorporate the Greene Humane Society, and for other purposes, passed March 29, 1875, can be reached by proceedings before the Corporation Commission.

The bill was taken up and referred to the Committee on General Laws.

He, from the same committee, also reports that the objects of

No. 149, Senate bill to authorize the town of Salem and county of Roanoke, or either of them, to appropriate money for the purpose of securing the location of a State Female Normal School at or near the town of Salem, and to authorize the issue of bonds in connection therewith, cannot be reached by general laws.

The bill was taken up and referred to the Committee on Counties, City and Town Organization.

He, from the same committee, also reports that the object of

No. 181, Senate bill to amend and re-enact section 11 of chapter two of the charter of the town of Bondtown, in Wise county, cannot be reached by general laws.

was taken up and referred to the Committee on County, Town Organization.

In the same committee, also reports that the objects of

Senate bill to authorize and empower P. D. Gwaltney, and maintain a wharf in Pagan Creek near the town of Wight, in the county of Isle of Wight, can be reached by general laws. See section 934 of the Code.

was taken up and referred to the Committee on General

In the same committee, also reports that the objects of

Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Henry, and to prohibit the sale, barter, or exchange of such liquors except as provided by this act, cannot be reached by general laws.

was taken up and referred to the Committee on Finance

In the same committee, also reports that the object of

Senate bill to authorize the board of supervisors of the County of Henrico to levy taxes on dogs of said county, and to provide for the collection of the same, cannot be reached by general laws.

was taken up and referred to the Committee, on County, Town Organization.

In the same committee, also reports that the objects of

Senate bill to authorize the county of Norfolk to acquire lands and toll bridges in said county and to issue bonds for the same, cannot be reached by general laws.

was taken up and referred to the Committee on County, Town Organization.

In the same committee, also reports that the object of

Senate bill to authorize the city of Bristol, Virginia, to issue an additional issue of bonds for water works improvement, cannot be reached by general laws.

was taken up and referred to the Committee on County, Town Organization.

In the same committee, also reports that the object of

Senate bill to incorporate and provide a charter for the town of Amherst, Virginia, cannot be reached by general laws.

was taken up and referred to the Committee on County, Town Organization.

In the same committee, also reports that the object of

Senate bill to amend, revise and re-enact sections 19, 26, of the charter of the town of Pocahontas, in Tazewell county, cannot be reached by general laws.

was taken up and referred to the Committee on County, Town Organization.



He, from the same committee, also reports that the object of

No. 180, Senate bill to amend and re-enact an act approved May 5, 1900, entitled "an act to provide for the establishment, alteration, discontinuance and working and keeping in repair the roads and bridges of Giles county, and to punish obstructions of the road commissioners in the discharge of their duties," and also to punish officials of Giles county for any neglect of their official duties, cannot be reached by general laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

He, from the same committee, also reports that the object of

No. 184, Senate bill to amend and re-enact section 5 of the charter of the city of Richmond as amended and re-enacted by an act approved December 12, 1903, as amended and re-enacted by an act approved March 29, 1871, relating to the election of municipal officers, cannot be reached by general laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

No. 74, House bill for working the roads and building and repairing the bridges in Caroline county.

Mr. WICKHAM moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—ayes, 32; noes,

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garretton, Garrett, Greear, Gunter, Harman, J. N., Hobbs, Holt, Keezell, Mann, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sears, Shelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—32.

**NAYS**—None.

Mr. WICKHAM moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate being notified that an emergency exists, it was agreed to by the following vote—ayes, 32; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garretton, Garrett, Greear, Gunter, Harman, J. N., Hobbs, Holt, Keezell, Mann, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sears, Shelford, Shands, St. Clair, Tavenner, Turner, Walker, Wallace, and Wickham.

**NAYS**—None.

Further motion the bill was then passed, with its title, by aye vote—ayes, 33; noes, 0.

who voted are:

Mr. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Ful-  
Greear, Gunter, Harman, J. N., Hobbs, Holt, Keesell, Machen,  
McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Sears,  
Shands, St. Clair, Tavenner, Turner, Walker, Wallace and

e.

MR. KHAM moved to reconsider the vote by which the bill was  
rejected.

MR. L., by leave (by request), presented

Senate bill to amend and re-enact section 3500 of the  
Virginia as amended by an act approved December 31, 1903.  
In motion, the bill being partially read, it was referred to the  
Committee for Courts of Justice.

MR. LNT, by leave, presented

Senate bill to amend and re-enact section 2 of the char-  
ter of Fairmount, Henrico county.

In motion, the bill being partially read, it was referred to the  
Committee on Special, Private and Local Legislation.

MR. FERR, by leave, presented

Senate bill to regulate the sale of flour, meal or ship-

In motion, the bill being partially read, it was referred to the  
Committee on General Laws.

MR. L., by leave, presented

Senate bill to authorize Metta D. Matthews, her heirs  
and assigns of Virginia Beach, Virginia, and Leo. D. Yarrell, of  
Virginia, to erect a wharf or pier in front of Metta D.  
Matthews at Virginia Beach, Princess Anne county, Virginia,  
lots ten and one-half of lot nine, adjoining lot ten, in square  
shown on the plat of the Virginia Beach property, attached  
as a part of a certain deed to Robert M. Hughes from the  
Virginia Beach Railroad Company, dated July 21,  
recorded in the clerk's office of the County Court of Prin-  
cess Anne county, Virginia.

In motion, the bill being partially read, it was referred to the  
Committee on Special, Private and Local Legislation.

MR. SDALE, by leave, presented

Senate bill to amend and re-enact an act approved Janu-

ary 5, 1898, entitled an act to protect labels, trade-marks, &c., of labor associations and organizations.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Senate joint resolution :

Whereas, clause 4 of section 132 of the Constitution imposes the duty of selecting text-books for use in the public free schools of the Commonwealth upon the State Board of Education, and in the judgment of the General Assembly this duty should in no way be delegated to any other tribunal or agency, but should be exercised by the State Board itself, and the local school boards kept entirely free from the importunities and distracting influence of the numerous rival publishing houses; and,

Whereas, the General Assembly believes no other agency with the public free school system is so well qualified to determine the very best books and appliances for use in the public free schools; and,

Whereas, it is desirable that as far as not impracticable there should be uniformity of text-books for use in the schools (especially of the primary and grammar grades); and,

Whereas, it is believed that large sums of money could be saved to the pupils in the cost of books if a single rather than a multiple list should be adopted; and,

Whereas, it is highly desirable that any change of text-books should be made in such manner as to allow the pupil to exchange his old book in use for the one to be used at the least possible transaction; therefore, be it

Resolved, by the Senate (the House of Delegates concurring) in the judgment of the General Assembly of Virginia that the State Board of Education in selecting text-books for use in the public free schools of the State should as far as at all practicable adopt a single list rather than a multiple list of books without reference to the recommendation from the local boards, and in contracting for new books should arrange for the exchange of the old book in use for the new one to be used, without cost, or at the least possible cost to the State; and was taken up and made, on motion of Mr. McILWAIN, that the same be the order of the day for Thursday, February 12, 1903, at 12:15 o'clock P. M.

No. 7, Senate bill appropriating the sum of \$250,000 for the enlargement, restoration and repair of the State Capitol building, and providing for the supervision of the expenditure thereof, and so much of an act approved April 2, 1902, as appropriates

ing and repairing said building, et cetera, being the special  
uing order of the day, the hour of 12:30 o'clock having  
as taken up. Mr. WICKHAM moved to pass by the bill  
nesday, March 2, 1904.

E called the previous question, which was agreed to. The  
Mr. WICKHAM was then rejected by the following vote—  
noes, 21.

who voted are:

ssrs. Byars, Garrett, Greear, Massie, Rison, Sadler, St. Clair,  
urner, Wallace and Wickham—11.

ssrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Crom-  
Fulton, Gunter, Harman, A. C., Hobbs, Keezell, Machen, Mann,  
Phlegar, Sale, Sears, Shackelford, Shands and Walker—21.

was then passed, with its title, by the following vote—  
noes, 10.

who voted are:

ssrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Crom-  
Fulton, Gunter, Harman, A. C., Hobbs, Keezell, Machen, Mann,  
Phlegar, Sale, Sears, Shackelford, Shands and Walker—21.

ssrs. Byars, Garrett, Greear, Massie, Rison, Sadler, Tavenner,  
llace and Wickham—10.

CLAIR stated that he was paired with Mr. HOLT, if he were  
would vote aye and I would vote no.

PERSON moved to reconsider the vote by which the bill was  
ich was rejected.

EZZELL, by leave, presented

, Senate bill to amend section 43 of an act entitled "an  
e revenue for the support of the government and public  
s, and to pay the interest on the public debt and to pro-  
ial tax for pensions, as authorized by section 189 of the  
n," approved April 16, 1903, as amended by an act ap-  
ruary, 1904.

otion, the bill being partially read, it was referred to the  
on Finance and Banks.

ON of Mr. SADLER, the Senate adjourned until to-morrow  
ck.

THURSDAY, FEBRUARY 25, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Journal of yesterday read by the Clerk.

Mr. CROMWELL, by leave, presented

No. 197, Senate bill to authorize the Board of Supervisors of Norfolk County to provide an office at the county seat, in Portsmouth, for the judge of the First Judicial Circuit.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. BARKSDALE, by leave, presented

No. 198, Senate bill to provide for the inspection of oil and other fluids.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. SHACKELFORD, by leave, presented

No. 199, Senate bill to amend and re-enact section 1 of the Code of Virginia as amended and re-enacted by an act approved March 20, 1903.

On his motion, the bill being partially read, it was referred to the Committee on General Laws.

Mr. KEEZELL, by leave, presented

No. 200, Senate bill to authorize the Board of Fisheries to use in its office a complete list of persons holding oyster leases on ground by assignment of record in the clerk's offices, and by acres held by each, and the number of acres occupied by each, planting not of record in said clerk's offices.

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

Mr. GUNTER, by leave, presented

No. 201, Senate bill to authorize the town of Onancock, county of Accomack, Virginia, to borrow money.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. GUNTER, by leave, presented

No. 202, Senate bill to amend and re-enact chapter 5 of the Assembly 1902-3-4, approved December 31, 1903, entitled "An act to authorize parties planting oysters on ground rented from the State to erect piers, docks and watch-houses on the same."

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

Mr. GUNTER, by leave, presented

No. 203, Senate bill to protect pheasants or grouse in the county of Accomack and Northampton.

motion, the bill being partially read, it was referred to the  
on Fish and Game.

ES, by leave, presented

Senate bill to prohibit insurance companies from issuing  
insurance on the life of any person under twelve years of

motion, the bill being partially read, it was referred to the  
on General Laws.

ES, by leave, presented

Senate bill to appropriate the sum of \$250,000 to im-  
provements of this State, to provide how the same shall be  
distributed among the several counties of this Commonwealth, and  
State Road Commission.

motion, the bill being partially read, it was referred to the  
on Finance and Banks.

ERSON, by leave (by request), presented

Senate bill to amend and re-enact an act entitled an act  
regarding hogs from running at large in Page county, approved  
March 9, 1900.

motion, the bill being partially read, it was referred to the  
Committee on Special, Private and Local Legislation.

ES, by leave, presented

Senate bill to amend and re-enact section 131 of an act  
to provide a new charter for the city of Bristol, ap-  
proved March 5, 1900, and to repeal sections 132 and 133 thereof.

motion, the bill being partially read, it was referred to the  
Committee on Special, Private and Local Legislation.

WHEELER, by leave, presented

Senate bill to amend and re-enact section 2689 of the  
Code of Virginia of 1887 in relation to resignation by fiduciary of

motion, the bill being partially read, it was referred to the  
Committee for Courts of Justice.

WHEELER, by leave, presented

Senate bill to amend and re-enact section 2708 of the  
Code of Virginia of 1887 in relation to proceedings by legatees and  
to compel creditors to show cause against distribution of  
the estate or liability to refund in such case.

motion, the bill being partially read, it was referred to the  
Committee for Courts of Justice.

ES, by leave, presented

Senate bill to amend and re-enact an act entitled "an  
act to amend the road law of Prince George county," approved March

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. CAMPBELL, by leave, presented

No. 211, Senate bill to amend and re-enact sections 2702 and 2703 of the Code of Virginia of 1887, in relation to the confirmation of fiduciary accounts, and the investment, payment and distribution of money in hands of fiduciary.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. RISON, by leave, presented

No. 212, Senate bill to constitute the matron and physicians of the Western State Hospital, at Staunton, officers of said hospital.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. OPIE presented the following resolution:

"Resolved, by the Senate, that beginning this day, the session of the Senate be vacated at 2 o'clock P. M., and resumed at 3:30 until further ordered," which was adopted.

Mr. McILWAINE moved that only uncontested matters be taken up for consideration at the afternoon session this day, which was agreed to.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly approved, the titles of said bills having been publicly read:

No. 141, Senate bill to amend and re-enact section 500 of the Code of Virginia approved March 7, 1900, providing for the appointment of members of the Board of Health.

No. 76, House bill to amend and re-enact an act entitled "An act to amend and re-enact section 923 of the Code of Virginia of 1887, as amended and re-enacted by an act approved February 16, 1892, and by an act approved March 3, 1898, approved December 10, 1899, relating to allow notaries public to qualify before clerks of Circuit Courts."

Senate joint resolution:

Whereas, clause 4 of section 132 of the Constitution of the Commonwealth of Virginia imposes the duty of selecting text-books for use in the public free schools upon the State Board of Education, and in the absence of action by the General Assembly this duty should in no wise be delegated to any other tribunal or agency, but should be exercised by the State Board itself, and the local school boards kept informed of the action of the State Board;

opportunities and distracting influence of the representative publishing houses; and, the General Assembly believes no other agency connected with the public free school system is so well qualified to select and deliver the best books and appliances for use in the public free schools.

It is desirable that as far as not impracticable there be a uniformity of text-books for use in the schools (especially in the primary and grammar grades); and,

it is believed that large sums of money could be saved to the State on the cost of books if a single rather than a multiple list of books were adopted; and,

it is highly desirable that any change of text-books should be made in such manner as to allow the pupil to exchange the text-book for the one to be used at the least possible trouble and expense; therefore, be it

Resolved, by the Senate (the House of Delegates concurring), that in its judgment of the General Assembly of Virginia said State should, in its education in selecting text-books for use in the public free schools, as far as at all practicable, adopt a single list of books.

That a multiple list of books without reference to or recommendation from the local boards, and in contracting for said books be made on the basis of exchange for the old book in use for the new book without cost, or at the least possible cost to the pupil, be the special and continuing order of the day, the hour of 12:15 being arrived, was taken up.

MR. EGAR called the pending question, which was agreed to. The motion was then adopted by the following vote—ayes, 20;

who voted are:

Mrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garman, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Ople, Phillips, Shands, Tavenner, Walker and Wickham—20.

Mrs. Cromwell, Greear, Harman, J. N., Mann, Massie, McIlwaine, Sears, Shackelford, St. Clair, Turner and Wallace—13.

MR. T. stated that he was paired with Mr. PATTESON; if he voted aye he would vote aye and I would vote no.

MR. ZELL moved to reconsider the vote by which the bill was rejected.

MR. T. stated that he was paired with Mr. PATTESON; if he voted aye he would vote aye and I would vote no. MR. ZELL moved to reconsider the vote by which the bill was rejected.



Whereas, tobacco raising is the chief occupation of the people in a large portion of Virginia; and,

Whereas, existing conditions surrounding the sale of tobacco by tobacco growers are ruinous to them; and,

Whereas, we believe that the present Federal law regulating the sale of their product by the tobacco growers contributes towards impoverishing the producers by aiding and fostering monopolies that are robbing them of the profit of their industry, and gradually sapping the life of this great occupation in Virginia;

Whereas, the present Federal law depriving the farmer of his right to sell their own tobacco to the consumers without the payment of an unjust and prohibitive tax to the Federal government is oppressive to the tobacco grower; and,

Whereas, the removal of this unjust tax we believe will enable the farmers in getting a living price for their tobacco and to some extent at least, the fixing of the price of their tobacco by a trust or monopoly as is now done without regard to the law of supply and demand and contrary to all the laws of equitable trade; and,

Whereas, the Hon. J. W. Gaines, of Tennessee, has introduced a bill in the Congress of the United States, having for its object the abolition of this tax; now, therefore, be it

Resolved by the House of Delegates of Virginia, the Senate concurring, That our representatives in both branches of the Congress of the United States are requested and urged to put forth all their efforts to secure the passage of the Gaines bill, or secure the enactment of some law which, in their judgment, will operate to relieve tobacco growers of an unjust tax and give them an opportunity to sell their own tobacco upon the market in the leaf, stemmed or unstemmed, stemmed and hand-twisted, or stemmed and hand-pressed, hand-twisted or hand-pressed, without license or payment of any tax of any kind.

Mr. McILWAINE, from the Committee for Courts of Appeals, with recommendation that it do not pass,

No. 57, Senate bill to amend and re-enact section 2485 of the Code of Virginia, as amended by an act approved December 10, 1891, entitled "an act to amend and re-enact section 2485 of the Code of Virginia," as amended by an act entitled "an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, relating to the lien of employees, etc., of transportation, mining and manufacturing companies on franchises and property of said companies," approved March 15, 1892.

in the same committee, reported, with amendments  
Senate bill to establish a general road fund for the permanent improvement of roads and bridges, to create a road fund for each county and to provide for the appointment of a county agent of roads.

in the same committee, reported, with amendments  
Senate bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved January 15, 1904.

in the same committee, reported, with amendments  
Senate bill to amend and re-enact sections 3340 and 3341 of the Code of Virginia so as to allow the contents of any paper which has been filed in any County, Circuit or Corporation Court, in the clerk's office, to be proved before a commissioner; and to authorize the judges of Circuit and Corporation Courts to make such examination as may be necessary to secure to persons seeking to prove the contents of any will, deed, or other paper which has been filed in the clerk's offices of said courts, or of the County Courts, in any book therein, and which is lost or illegible, the same to be proved by affidavit.

in the same committee, reported, with amendments  
Senate bill to amend sections 3146 and 3147 of the Code, as amended and re-enacted by act approved December 10, 1903, Chapter 384 of acts of extra session of 1902-3-4, relating to the same.

in the same committee, reported, with amendments  
Senate bill to amend and re-enact section 4048 of the Code of Virginia, as amended by act approved January 2, 1904, which is Chapter 385 of the extra session of 1902-3-4, in relation to jurors guilty of misdemeanors.

in the same committee, reported, without amendments  
House bill to amend and re-enact section 2693 of the Code of Virginia in reference to posting lists of fiduciaries by commissioners of the land office.

in the same committee, reported, without amendments  
House bill to amend and re-enact section 2690 of the Code of Virginia in reference to notice to be given by commissioners of the land office.

from the same committee, reports, with a substitute,  
House bill to amend and re-enact section 906 of the Code of Virginia, and to repeal section 907 of the Code of Virginia, concerning property levied on or distrained by an officer.

Senate bill to amend and re-enact section 907 of the Code of Virginia, as amended by an act approved February 23, 1888, in relation to the same.

relation to the sale of mules, work oxen, and horses, when and where sold, reported as a substitute for House bill No. 112.

No. 86, Senate bill to appropriate the sum of \$200,000.00 to provide buildings, equipment and improvement for the Virginia Polytechnic Institute, with committee amendments, being the special continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. KEEZELL offered an amendment.

Mr. OPIE offered an amendment.

The hour of 2 o'clock P. M. having arrived, the chair was vacated until 3:30 o'clock P. M.

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## EVENING SESSION.

THURSDAY, FEBRUARY 25, 1904.

Senator C. HARDING WALKER in the chair.

Mr. MANN, by leave, presented

No. 213, a bill to prescribe the qualifications of voters in special elections held under sections 581 and 585 of the Code of Virginia heretofore amended, and to prohibit the payment of the capital tax of voters in such elections by another than the voter himself, the loan of money for such payment, and to provide a penalty therefor.

On his motion, the bill being partially read, it was referred to the Committee on Privileges and Elections.

Mr. MANN, by leave, presented

No. 214, Senate bill to amend and re-enact section 2500 of the Code of Virginia, edition of 1887, in reference to when and where writings admitted to record, as amended by an act approved February 28, 1896, entitled "an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code as amended and re-enacted by an act approved February 28, 1890, entitled "an act to amend and re-enact section 2501 of the Code in relation to certificates of acknowledgment."

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 125, Senate bill to provide a commission to investigate

accounting employed in the State and its subdivisions by  
 se duty it is to collect and disburse the public revenues,  
 ttee substitute, was taken up, read the second time, com-  
 titute adopted, ordered to be engrossed and read a third

Senate bill to require interest to be paid upon all State,  
 rict and municipal taxes or levies remaining unpaid on  
 n of June in the year next after that in which the same  
 be assessed or assessable, and to prescribe the date from  
 interest shall be charged, was taken up and read the

McILWAINE offered an amendment, which was adopted. The  
 nded, was then ordered to be engrossed and read a third

Senate bill to amend and re-enact sections 1433, 1437,  
 1450, 1454, 1459, 1466, 1484 and 1515 of the Code of  
 s amended by an act entitled "an act to amend and re-  
 er 66 of the Code of Virginia, relating to public free  
 counties and to the literary fund," approved December  
 was taken up.

KEEZELL offered an amendment, which was adopted.  
 as amended, was then ordered to be engrossed and read  
 e.

House bill to amend and re-enact section 525 of the Code  
 , as amended by an act approved February 27, 1896, as  
 ended by an act approved March 3, 1896, as further  
 y an act approved February 7, 1898, as further amended  
 pproved January 24, 1900, and as further amended by  
 roved March 6, 1900, and as further amended by an act  
 arch 15, 1902, in relation to the collection of fees of the  
 er of the revenue, was taken up.

KEEZELL offered an amendment.

McILWAINE offered a substitute for the bill.

House bill construing the term "railroad" and the term  
 to mean the same thing in law, was taken up, read the  
 and passed, with its title, by the following vote—ayes,

who voted are:

Mrs. Barksdale, Byars, Campbell, Ford, Fulton, Greear, Gunter,  
 C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine,  
 r, Rison, Sadler, Sears, Shackelford, Shands, St. Clair, Tavenner,  
 ker and Wallace—25.

ne.

No. 73, Senate bill to amend and re-enact sections 249, 253, 255, 258, 259 and 260 of the Code of Virginia and acts amend thereof, in relation to the duties of the Secretary of the Commonwealth and Board of Directors of the State Library, and concerning the State and certain other libraries, was taken up, read the time and passed, with its title, by the following vote—ayes, 26; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cha Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, H son, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sears, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—28.

**NAYS**—None.

No. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1886, relating to the sale of goods and chattels in certain cases, was taken up. By unanimous consent, Mr. PHLEGAR offered an amendment which was adopted.

The bill, as amended, was then passed, with its title, by the following vote—ayes, 26; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cha Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, H son, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—26.

**NAYS**—None.

No. 118, House bill to amend and re-enact section 24a of the charter of the city of Richmond, as prescribed by an act approved February 20, 1886, entitled "an act giving authority to the city of Richmond to improve and control roads to the Reservoir and Soldiers Home," so as to give authority to the city of Richmond to improve and control a road running east from the corporate limits along Thirty-fourth street extended, thence northwardly to Thirty-fourth street extended to Oakwood avenue, thence along Oakwood avenue to Oakwood Cemetery, and to amend section 105 of the charter of the city of Richmond providing for the election of a police justice, as prescribed in an act approved July 11, 1870, amending certain sections of the city charter, so as to fix the term of office of said police justice at four years, was taken up.

ANDERSON moved to dispense with the reading of the bill, as by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 28; noes, 0.

Members who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Elton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutchezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—28.

—None.

On his further motion the bill was then passed, with its title, by following vote—yeas, 28; noes, 0.

Members who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Elton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutchezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—28.

—None.

ANDERSON moved to reconsider the vote by which the bill was which was rejected.

90, Senate bill to establish a general road fund for the per-improvement of roads and bridges, to create a road fund for the county and to provide for the appointment of a county superintendent of roads, with committee amendments, was taken up. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 27; noes, 0.

Members who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Elton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutchezcell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

—None.

The committee amendments were adopted.

The bill, as amended, was then ordered to be engrossed; and being with engrossed, on his further motion, was passed by the following vote—yeas, 27; noes, 0.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

**NAYS**—None.

On motion of Mr. McILWAINE the title was amended.

No. 107, Senate bill in relation to fish ladders on the Ra river between the counties of Culpeper, Orange and Madison taken up, read the third time and passed, with its title, by the following vote—ayes, 26 ; noes, 0.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Walker and Wallace—26.

**NAYS**—None.

No. 68, Senate bill to amend and re-enact an act entitled an act to authorize the Governor to grant conditional pardon to persons convicted and fined in the penitentiary upon recommendation of the Board of Directors of said institution, approved March 3, 1898, as amended by an act approved February 3, 1900, as amended by an act approved May 1, 1903, with committee substitute, was taken up.

Mr. J. N. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—ayes, 23 ; noes, 0.

Senators who voted are :

**YEAS**—Messrs. Anderson, Bryant, Byars, Chapman, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Walker and Wallace—23.

**NAYS**—None.

The committee substitute was adopted.

The bill, as amended by the substitute, was then ordered to be engrossed ; and being forthwith engrossed, on his further motion passed, with its title, by the following vote—ayes, 23 ; noes, 0.

ors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hutcheson, Kezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Turner, and Wallace—23.

None.

1, Senate bill to extend the time of all city officers in cities thousand or over where officers are appointed by city councils cities, which have not heretofore had two branches of council, required by the Constitution, and to provide for the election successors, with committee amendments, was taken up.

HOLT moved to dispense with the reading of the bill, ordered by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following votes, 26; noes, 0.

ors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Kezell, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Turner, Walker and Wallace—26.

None.

committee amendments were adopted. Mr. ANDERSON offered amendment, which was adopted.

bill, as amended, was then ordered to be engrossed; and being h engrossed, on his further motion, was passed by the following—ayes, 27; noes, 0.

ors who voted are:

Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fullett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Kezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Turner, Walker and Wallace—27.

None.

committee amendment to the title was adopted.

8, House bill to amend and re-enact subdivision "b" of section of an act approved December 21, 1901, entitled "an act to create the town of Fries, in Grayson county, Virginia, as provided by an act approved March 29, 1902," was taken up and re-passed with its title, by the following vote—ayes, 23; noes, 4.



Senators who voted are:

**YEAS**—Messrs. Anderson, Bryant, Campbell, Chapman, Ford, Fulton, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Turner, Walker and Wallace—23.

**NAYS**—Messrs. Barksdale, Byars, Harman, J. N., and St. Clair—4.

No. 145, Senate bill to amend and re-enact section 746 of the Code of Virginia so as to limit the right to bring suit upon claims against the Commonwealth, was taken up, read the third time, and, on the motion of Mr. KEEZELL, passed by.

No. 104, Senate bill to provide for evidence of the prepayment of State poll taxes by voters transferred from one city or county to another city or county, was taken up and read the third time.

No. 132, Senate bill to amend section 998 of the Code of Virginia with committee substitute, was taken up and committee substitute read.

No. 184, Senate bill to amend and re-enact section 5 of the Charter of the city of Richmond as amended and re-enacted by act approved December 12, 1903, as amended and re-enacted by act approved March 29, 1871, relating to the election of municipal officers.

Mr. ANDERSON moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—ayes, 24; noes,

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Campbell, Ford, Garrett, Greear, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—24.

**NAYS**—None.

No. 163, Senate bill to amend and re-enact section 25 of the Constitution, entitled "an act to raise revenue for support of the government of the public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 1 of the Constitution," approved April 16, 1903, with committee amendments, was taken up.

Mr. WALKER moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—ayes, 26; noes, 0.

who voted are:

Members. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—26.

ne.

Committee amendment was adopted.

as amended, was then ordered to be engrossed; and being engrossed, on his further motion, was passed, with its title, following vote—ayes, 26; noes, 0.

who voted are:

Members. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Turner, Walker and Wallace—26.

ne.

Senate bill to amend and re-enact sections 1528, 1531 and the Code of Virginia as amended and re-enacted by an act to amend and re-enact chapter 67 of the Code of Virginia in relation to public free schools in cities and towns comprising separate school districts," approved December 31, 1903, was

TAVENNER offered an amendment.

Senate bill to amend and re-enact section 62 of chapter 67 of the Code of Virginia, as amended by act approved December 31, 1903, was taken up.

SHACKELFORD moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—ayes, 24; noes, 0.

who voted are:

Members. Anderson, Barksdale, Bryant, Byars, Ford, Garrett, Greear, Harman, J. N., Holt, Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—24.

ne.

was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—ayes, 27; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chap Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shands, St. Clair, Tavenner, Turner and Wallace—27.

**NAYS**—None.

No. 113, Senate bill making it a misdemeanor to desert with just cause or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute and necessitous circumstances, and to provide a penalty therefor, with committee amendments, was taken up.

Mr. WALKER moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—ayes, 28; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chap Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—28.

**NAYS**—None.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—ayes, 28; noes, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chap Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, Walker and Wallace—28.

**NAYS**—None.

No. 108, Senate bill to require any person, firm or corporation employing large bodies of laborers to have them regularly inspected by the Board of Health of the counties in which they are located, with committee amendments, was taken up.

Mr. HUTCHESON moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being

that an emergency exists, it was agreed to by the following  
 yeas, 25; nays, 0.

Members who voted are:

Members. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
 Ford, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt,  
 Machen, McIlwaine, Rison, Sadler, Shackelford, Shands, Taven-  
 ner, Walker and Wallace—25.

None.

SADLER offered an amendment.

3, Senate bill to amend and re-enact section 2942 of the  
 Virginia, 1887, in relation to how and when warrant tried  
 judgment given, and in relation to how a justice may associate  
 with him, and whose opinion to prevail, was taken up, read  
 first time, ordered to be engrossed and read a third time.

8, Senate bill to amend and re-enact an act entitled an act  
 husband and wife competent witnesses for or against each  
 certain civil and criminal cases, approved April 2, 1902,  
 taken up and read the second time.

On motion of Mr. PHLEGAR, the bill was passed by.

9, House bill to establish a dispensary for the sale of intoxi-  
 cating liquors in the town of Pulaski, Virginia; to prohibit all per-  
 sons, corporations to sell, barter, or exchange such liquor in  
 said town, and to repeal all laws in conflict with this act so far as they  
 relate to said town, was taken up, and on motion of Mr. ST. CLAIR,  
 referred to the Committee on Finance and Banks.

10, House bill to amend and re-enact section 3500 of the Code  
 of Virginia, as amended and re-enacted by an act approved the 31st  
 December, 1903, was taken up and read the first time.

11, House bill to authorize Brookland School District, of  
 Loudoun county, to borrow \$5,000.00 and issue bonds therefor, to  
 be used for paying for a school-house at Dumbarton, in said county,  
 or for other building, with committee amendments, was taken up.

12, HOUSEZELL moved to dispense with the reading of the bill,  
 introduced by section 50 of the Constitution, and the Senate being  
 informed that an emergency exists, it was agreed to by the following  
 yeas, 27; nays, 0.

Members who voted are:

Members. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Ful-  
 ton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutche-

son, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

The committee amendments were adopted.

On his further motion the bill, as amended, was then passed the following vote—ayes, 27; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hinson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

The committee amendment to the title was adopted.

No. 70, House bill authorizing the Board of Supervisors of Prichard county to issue bonds and appropriate the proceeds thereof to the establishment of a State Normal School for girls in Prichard county.

Mr. MACHEN moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—ayes, 27; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hinson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

On his further motion the bill was then passed, with its title amended, the following vote—ayes, 27; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hinson, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

ACHEN moved to reconsider the vote by which the bill was which was rejected.

, House bill to amend and re-enact section 1764 of the Code of Virginia, as amended by an act approved March 5, 1894, relating to the practice of pharmacy, was taken up and read the first time.

, House bill to amend and re-enact section 847 of the Code of Virginia of 1887, and so much of an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 849 and 850, and to repeal section 839 of the Code," approved December 31, 1903, as relates to said section 847 of the Code, was taken up and read the first time.

, House bill to provide for working and keeping in repair of roads and bridges in the counties of Sussex and Greenville, and to determine what tax shall be used for keeping the same in order, was taken up and read the first time.

, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled an "act to provide for working, building and keeping in repair the public roads and bridges in Grayson County," was taken up and read the first time.

House bill to provide for the establishment, proper construction and permanent improvement of the public roads and landings, and for the building and keeping in good order and repair of all public roads, bridges, causeways, and wharves in the State of Virginia, was taken up and read the first time.

GUNTER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Members who voted are:

Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garfield, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Manning, Sadler, Shackelford, Shands, St. Clair, Tavenner, Turner, and Wallace—24.

None.

On the motion of Mr. GUNTER, the bill was passed by.

9, Senate bill making an appropriation for the benefit of the Virginia State Horticultural Society, was taken up and read the first time.

7, Senate bill to amend and re-enact an act entitled "an act to appropriate certain sums of money from the public treasury in aid of confederate memorial associations having in charge ceme-

teries containing the graves of Confederate soldiers," approved February 8, 1904, was taken up.

Mr. TAVENNER moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate agreed. Affirmed that an emergency exists, it was agreed to by the yeas and nays—yeas, 24; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Ford, Harman, J. N., Holt, Hutcheson, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Turner, Walker and Wallace—24.

NAYS—Mr. Greer—1.

On motion of Mr. SADLER, the bill was passed by.

No. 165, Senate bill to repeal the joint resolution adopted May 5, 1888, transferring to the Mount Vernon Association a tract of land in the State of Virginia against the United States Government, was taken up and read the first time.

No. 31, Senate bill to amend and re-enact section 3813 of the Code of Virginia, was taken up and read the first time.

No. 76, Senate bill authorizing the Board of Supervisors of Patrick and Grayson counties to levy a capitation tax for other county purposes, was taken up and read the first time.

On motion of Mr. SADLER, the Senate adjourned until Monday at 12 o'clock.

FRIDAY, FEBRUARY 26, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Prayer by Rev. F. T. McFADEN.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by the Speaker, was read as follows:

*In House of Delegates, February 25, 1904.*

The House of Delegates has passed House bills entitled "An act to provide for the extension of the corporate limits of cities."

an act to prohibit the enticing away, hiring or having in  
ent laborers of another during their contract term of service,  
provide public punishment and the recovery of private dam-  
age therefor, No. 67.

which they request the concurrence of the Senate.

4, House bill to provide for the extension of the corporate  
cities and towns, was taken up and referred to the Com-  
munity, City and Town Organization.

ANDERSON moved that the Committee on County, City and  
Organization be discharged from further consideration of the  
which was agreed to by the following vote—yeas, 25; nays, 0.

Members who voted are:

Messrs. Anderson, Bryant, Byars, Campbell, Ford, Fulton, Garrett,  
Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen,  
McIlwaine, Noel, Ople, Phlegar, Sale, St. Clair, Tavenner, Turner,  
and Wickham—25.

None.

Motion of Mr. ANDERSON, the bill was made the special and  
order of the day for Wednesday, March 2, 1904, at 12:30  
P. M., along with

3, Senate bill to provide for the extension of the corporate  
cities and towns.

7, House bill to prohibit the enticing away, hiring or having  
employment laborers of another during their contract term of ser-  
vice to provide public punishment and the recovery of private  
damages therefor, was taken up and referred to the Committee on  
Laws.

BRYANT, from the Special Joint Committee on Special, Pri-  
vate and Local Legislation, respectfully reports that the object of  
bill No. 197, to authorize the Board of Supervisors of Nor-  
folk county to provide an office at the county seat, in the city of  
Norfolk for the Judge of the First Judicial Circuit, cannot be  
achieved by general laws.

bill was taken up and referred to the Committee on County,  
City and Town Organization.

from the same committee, also reports that the object of Senate  
bill No. 194, to authorize Metta D. Matthews, her heirs and assigns,  
in Virginia Beach, Virginia, and Leo D. Yarrell, of Emporia, Vir-  
ginia to erect a wharf or pier in front of Metta D. Matthews' lots  
in Virginia Beach, Princess Anne county, Virginia, known as lots  
(8) and one-half ( $\frac{1}{2}$ ) of lot nine (9), adjoining lot ten (10),



in square number eleven (11), on the plat of the Virginia property attached to and made part of a certain deed to Hughes from the Norfolk and Virginia Beach Railroad dated July 21, 1887, and recorded in the clerk's office of Court of Princess Anne county, Virginia, cannot be reached by general laws.

The bill was taken up and referred to the Committee on Laws.

And he, from the same committee, also reports that the Senate bill No. 192, to amend and re-enact section 2 of the Fairmount, Henrico county, cannot be reached by general laws.

The bill was taken up and referred to the Committee on City and Town Organization.

Mr. WICKHAM, from Committee on Finance and Banking, without amendment,

No. 169, Senate bill to amend and re-enact section 23 of the Code of Virginia, as amended and re-enacted by an act of December 10, 1903, entitled, "an act to amend and re-enact section 23 of the Code of Virginia, in relation to the assessment of land and lots."

He also reported from same committee, without amendment,

No. 61, Senate bill to amend and re-enact section 603 of Virginia of 1887, as amended and re-enacted by Acts of the General Assembly of 1897-'8, page 671.

He also reported from same committee, with amendment,

No. 173, Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Loudoun, Virginia, and to prohibit the sale, barter, or exchange of such liquors in said town, except as provided by this act.

He also reported from same committee, without amendment,

No. 87, House bill to amend and re-enact sections 43 and 44 of an act to amend and re-enact title 12 of the Code of Virginia in relation to the public debt, approved December 17, 1903.

He also reported from same committee, without amendment,

No. 188, Senate bill to provide for the payment of claims under the pension act of April 2, 1902, whose claims were not approved and filed in the office of the Auditor of Public Accounts before September 1, 1903.

He also reported from same committee, without amendment,

No. 46, House bill to provide for collection of all military records, and other materials, showing the names, number, rank, and character of the officers and soldiers furnished by Virginia to the army and navy of the Confederate States of America, and to provide for the appointment and compensation of a secretary of Virginia.

id for the other expenses incidental to the work to be per-

), Senate bill to amend and re-enact an act approved March  
 entitled "an act to provide for the establishment, alteration,  
 and working and keeping in repair the roads and  
 Giles county, and to punish obstructions of the road com-  
 in the discharge of their duties," and also to punish road  
 Giles county for any neglect of their official duties.

. CLAIR moved that the Committee on County, City and  
 organization be discharged from further consideration of the  
 was agreed to by the following vote—yeas, 29; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Ford,  
 Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Keezell,  
 Mann, Massie, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shackel-  
 ds, St. Clair, Tavenner, Turner, Wallace and Wickham—29.

None.

. CLAIR moved to dispense with the reading of the bill, as  
 by section 50 of the Constitution, and the Senate being  
 that an emergency exists, it was agreed to by the following  
 as, 31; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Ford, Gar-  
 Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Hutcheson,  
 Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler,  
 ckelford, Shands, St. Clair, Tavenner, Turner, Wallace and Wick-

None.

l was then ordered to be engrossed; and being forthwith en-  
 on his further motion, was passed, with its title, by the fol-  
 te—yeas, 29; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Ford,  
 arrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson,  
 Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler,  
 s, St. Clair, Tavenner, Turner, Wallace and Wickham—29.

None.

Mr. McILWAINE, from the Committee for Courts reported, with amendment,

No. 103, Senate bill to amend and re-enact section of Code of Virginia, as amended by an act approved February 23, 1898, which is chapter 513 of the Acts of 1897-'98.

He, from the same committee, reported with a substitute,

No. 71, Senate bill to amend and re-enact an act entitled "An act to regulate the probate of wills, the appointment of appraisers of estates of decedents, and appointment and qualification of executors, administrators, guardians, committees, by the circuit courts," approved May 15, 1903.

He, from the same committee, reported, with amendment,

No. 82, Senate bill to amend and re-enact section 2533 of Code of Virginia, edition of 1887, in reference to the jurisdiction of the circuit courts in the probate of wills, as amended by an act approved December 23, 1897, entitled an act to amend and re-enact section 2533 of the Code of Virginia, as amended by an act approved March 7, 1898, to amend and re-enact sections 2534 and 2538 of the Code of Virginia, and to amend section 2547 of the Code of Virginia, as amended by an act approved February 23, 1898, in relation to the jurisdiction of the circuit courts in the probate of wills.

He, from the same committee, reported, with amendment,

No. 102, Senate bill to amend and re-enact sections 2601 and 2602, as amended by an act approved January 23, 1903, providing for the appointment of guardians by the judges of the corporation courts.

He, from the same committee, reported, without amendment,

No. 91, House bill in relation to the commitment of the Prison Association of Virginia, their custody therein, the compensation for, and expenses of, such custody, and their disbursements.

He, from the same committee, reported without amendment,

No. 106, House bill to amend and re-enact section 2533 of Code of Virginia, as amended and re-enacted by an act approved December 24, 1903.

And he, from the same committee, reported, without amendment,

No. 117, House bill to amend and re-enact sections 2534 and 2538 of the Code of Virginia.

Mr. KEEZELL, from the Committee on Fish and Game, reported, with amendments,

No. 35, House bill to define and determine the natural resources of the State, to provide for an investigation and examination of certain public grounds within the Bay Survey, to determine what part of such ground is natural or shoals, and what part barren ground; to provide for

to citizens of the State, to appoint a special joint committee to carry into effect the provisions of this act, and to appropriate and defray the expenses incurred hereunder.

On the same committee, reported, without amendments, a bill to amend and re-enact sub-section 2 of section 2079 of the Code, as amended by an act approved March 7, 1903, entitled "an act to amend and re-enact chapter 95 of the Code of Virginia, in relation to the preservation of certain useful animals, and to prevent unlawful hunting, and to repeal sections 2079 and 2080 of the Code," &c.

Mr. [Name], by leave, presented

a bill to amend and re-enact section 1416 of the Code of Virginia.

On the bill being partially read, it was referred to the Committee on General Laws.

Mr. [Name], by leave, presented

a bill to provide for the establishing of a dispensary to sell intoxicating liquors in the town of Chatham, Pittsylvania County, Virginia, and to prohibit the sale of intoxicating liquor elsewhere as herein provided.

On the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. [Name], by leave, presented

a bill to amend and re-enact section 1671 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact sections 1660 to 1772, inclusive, of the Code of Virginia, in relation to State hospitals for the insane and the treatment of insane persons, approved March 7, 1900.

On the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. [Name], by leave, presented

a bill to make an appropriation for the removal, storage and display of the exhibits to be made by the State of Virginia at the Louisiana Purchase Exposition to be held in the city of Portland, Oregon.

On the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. [Name] presented a bill to amend and re-enact the second clause of section 2079 of the Code of Virginia, as amended and re-enacted by an act to amend and re-enact title 8 of the Code of Virginia in relation to salaries, mileage, and other allowances," approved March 7, 1903, was taken up, read the third time and passed, by the following vote—yeas, 22; nays, 5.

### Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Fulton, Garrett, Gunter, Harman, A. C., Hutcheson, Mann, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Wallace and Wickham—22.

**NAYS**—Messrs. Harman, J. N., Keezell, Noel, St. Clair and Tavenner—0.

No. 86, Senate bill to appropriate the sum of \$200,000 for the purchase of land, buildings, equipment and improvement for the Virginia Polytechnic Institute, with committee amendments, being the second continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. OPIE offered an amendment, which was rejected.

Mr. KEEZELL offered the following amendment to the bill: "Strike out one hundred and sixty-five thousand and insert in lieu thereof one hundred and fifteen thousand," which was rejected by the following vote—yeas, 9; nays, 26.

### Senators who voted are:

**YEAS**—Messrs. Ford, Fulton, Hobbs, Keezell, Opie, St. Clair, Tavenner, Wallace and Wickham—9.

**NAYS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Turner and Walker—26.

Mr. HOLT stated that he was paired with Mr. PATTERSON. If Mr. PATTERSON were present he would vote no and I would vote aye.

The committee amendment was adopted.

Mr. PHLEGAR moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 28; nays, 0.

### Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sale, Sears, Shackelford, Shands, Turner and Walker—28.

**NAYS**—None.

The bill, as amended, was then ordered to be engrossed; and the bill forthwith engrossed, on his further motion, was passed by the following vote—yeas, 27; nays, 3.

s who voted are:

essrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shands, Turner and Walker—27.

essrs. Ople, Tavenner and Wallace—3.

tion of Mr. PHLEGAR, the title was amended.

LEGAR moved to reconsider the vote by which the bill was which was rejected.

Senate bill to appropriate the sum of \$60,000 to add to the buildings of the State Female Normal School at , and to increase the annual appropriation to said school \$000 to \$30,000, with committee amendment, was taken up. LT offered an amendment to the committee amendment, as "Strike out \$55,000 and insert \$30,000," which was re- the following vote—yeas, 9; nays, 26.

s who voted are:

essrs. Campbell, Ford, Greear, Holt, Keezell, Ople, St. Clair, T- Turner—9.

essrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Fulton, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, sie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shack- ands, Walker and Wickham—26.

LTON offered an amendment to the committee amendment, s rejected.

mmittee amendment was then adopted.

l as amended was then ordered to be engrossed and read a e.

ANN moved to dispense with the reading of the bill, ed by section 50 of the Constitution, and the Senate being hat an emergency exists, it was agreed to by the following s, 32; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, arrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, le, Sears, Shackelford, Shands, Tavenner, Turner, Walker and -32.

None.

On his further motion the bill was then passed, with its title and the following vote—yeas, 33; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Croft, Fulton, Garrett, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Turner, and Wickham—33.

**NAYS**—None.

The committee amendment to the title was adopted.

Mr. MANN moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. MACHEN, by leave, presented

No. 219, Senate bill to provide for the publication of the Legislative records.

On his motion, the bill being partially read, it was referred to the Committee on Printing.

Mr. ST. CLAIR, by leave, presented

No. 220, Senate bill to amend and re-enact section 1587 of the Code of 1887, as amended and re-enacted by an act approved March 20, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. TAVENNER, by leave, presented

No. 221, Senate bill to amend and re-enact section 3531 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 3531 of the Code of Virginia in relation to fees of the sheriff, sergeant, coroner, crier, or constable," approved March 3, 1898.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. RISON, by leave, presented

No. 222, Senate bill to amend and re-enact section 3932 of the Code of 1887, of Virginia, relating to chain gangs and who work in them, as amended and re-enacted by an act approved December, 1903, entitled an act to amend and re-enact sections 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

2, House bill to amend and re-enact section 10 of an act entitled an act concerning public service corporations," approved January 1904, and providing for the continuance of annual tolls on s.

05, House bill to amend and re-enact sections 1653, 1656, and 1657 of the Code of Virginia, as amended and re-enacted under 266, Acts of Assembly, session 1902-'03, approved May s.

3, House bill to incorporate the town of Cedar Bluff, in Tazewell county.

3, House bill to repeal an act entitled an act to provide for repairing and keeping in repair the public roads in the county of Loudoun, approved February 29, 1892, as amended by an act to amend and re-enact section 14 of an act to provide for working and keeping in repair the public roads in the county of Louisa, approved February 26, 1896, as amended by an act to amend and re-enact section 14 of an act approved February 29, 1892, entitled an act to provide for repairing and keeping in order the public roads in the county of Loudoun, approved February 26, 1900.

0, Senate bill authorizing the judges of circuit courts of cities of the first class having over forty thousand population and a separate fund for said circuit court, to make an annual allowance for such allowance payable out of the treasury of said city.

0, Senate bill to amend and re-enact sections 2 and 3 of chapter 5 and sections 40 and 63 of chapter 5 of an act entitled an act to amend and re-enact sections 2 and 3 of chapter 5 of an act entitled an act concerning corporations, which became a law on May 21, 1903, and which was contained in chapter 270 of the Acts of the General Assembly of 1902-3-4.

09, Senate bill to amend and re-enact an act entitled an act to amend and re-enact section 3154 of the Code of Virginia as amended by act approved January 11, 1904, in relation to selection of jurors in civil cases.

4, Senate bill to amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the apportionment of representation in Congress, approved February 15, 1892, was taken up, and on motion of Mr. SALE, the special and continuing order of the day for Tuesday, March 1, at 12:30 o'clock P. M.

McILWAINE moved that only uncontested matters be considered in the afternoon session this day, which was agreed to.

At the hour of 2 o'clock having arrived, the chair was vacated until 3 o'clock P. M.



## EVENING SESSION.

FRIDAY, FEBRUARY 26, 1904.

President *pro. tem.*, HENRY T. WICKHAM, in the chair.

No. 57, Senate bill to amend and re-enact section 2485 of Code of Virginia, as amended by an act approved December 15, 1892, and entitled "an act to amend and re-enact section 2485 of Code of Virginia" as amended by an act entitled "an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, etc., of transportation, mining and manufacturing companies on franchises and property of said companies, and how the same may be perfected and enforced," approved February 15, 1892, was taken up and read the first time.

No. 155, Senate bill to amend and re-enact section 40 of Code of Virginia, as amended and re-enacted by an act approved February 15, 1904, was taken up and read the first time.

No. 175, Senate bill to amend and re-enact sections 3340 and 3341 of the Code of Virginia, so as to allow the contents of any paper which has been filed in any county, circuit or corporation court to be proved in the clerk's office, to be proved before a commissioner; and to authorize the judges of circuit and corporation courts to make orders in vacation as may be necessary to secure to persons the contents of any will, deed or other paper which has been filed in the clerk's offices of said courts, or of the county clerk's office, and which is lost or illegible, and to make fits thereof, with committee amendment, was taken up.

Mr. J. N. HARMAN moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Campbell, Ford, Garrett, Greear, Gunter, A. C. Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Edgar, Rison, Shackelford, St. Clair, Tavenner, Turner, Wallace, Harman—21.

NAYS—None.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed; and forthwith engrossed, on his further motion, was passed, with amendments, by the following vote—yeas, 21; nays, 0.

who voted are:

ssrs. Byars, Campbell, Cromwell, Ford, Garrett, Greear, Gunter, C., Harman, J. N., Hutcheson, Machen, McIlwaine, Opie, Phile-Shackelford, St. Clair, Tavenner, Turner, Wallace and Wick-

ne.

..

, Senate bill to amend sections 3146 and 3147 of the Code, and re-enacted by act approved December 10, 1903, chapter 384 of acts of the extra session of 1902-'03-'04, re-suries, with committee amendment, was taken up.

N. HARMAN moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following, 22; nays, 0.

who voted are:

ssrs. Byars, Campbell, Cromwell, Ford, Garrett, Greear, Gunter, C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Opie, son, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wick-

one.

committee amendment was adopted.

was then ordered to be engrossed; and being forthwith enrolled in his further motion, was passed, with its title, by the following—yeas, 22; nays, 0.

who voted are:

ssrs. Byars, Campbell, Cromwell, Ford, Garrett, Greear, Gunter, C., Harman, J. N., Hutcheson, Keezell, Machen, McIlwaine, Opie, son, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wick-

one.

, Senate bill to amend and re-enact section 4013 of the Code, amended by act approved January 2, 1904, which is chapter 1 of Acts of the extra session of 1902-1903-1904, in relation to cases of misdemeanors, with committee amendment, was

N. HARMAN moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to by the vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Campbell, Cromwell, Ford, Garrett, G. Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Ople, Phlegar, Rison, Shackelford, Shands, St. Clair, Tavenner, lace and Wickham—23.

NAYS—None.

The committee amendment was adopted.

The bill was then ordered to be engrossed; and being fogrossed, on his further motion, was passed, with its title, lowing vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Campbell, Cromwell, Ford, Garrett, G. Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Ople, Phlegar, Rison, Shackelford, Shands, St. Clair, Tavenner, lace and Wickham—23.

NAYS—None.

No. 184, Senate bill to amend and re-enact section 5 of the charter of the city of Richmond, as amended and re-enacted approved December 12, 1903, as amended and re-enacted approved March 29, 1871, relating to the election of officers, was taken up.

Mr. A. C. HARMAN moved to dispense with the reading as required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by the vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Campbell, Cromwell, Ford, Garrett, G. Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Ople, Phlegar, Rison, Shackelford, Shands, St. Clair, Tavenner, lace and Wickham—23.

NAYS—None.

Mr. A. C. HARMAN offered an amendment, which was adopted. The bill, as amended, was then ordered to be engrossed a third time.

No. 133, Senate bill to amend and re-enact section 2

Virginia, 1887, in relation to how and when warrant tried  
 sent given, and in relation to how a justice may associate  
 with him, and whose opinion to prevail, was taken up, read  
 time and passed, with its title, by the following vote—yeas,  
 0.

s who voted are:

ssrs. Anderson, Byars, Campbell, Cromwell, Ford, Garrett, Greear,  
 rman, J. N., Hobbs, Hutcheson, Keezell, Machen, McIlwaine,  
 ar, Rison, Shackelford, St. Clair, Tavenner, Turner, Wallace and  
 23.

ne.

, Senate bill to amend and re-enact section 746 of the Code  
 a so as to limit the right to bring suit upon claims against  
 onwealth, was taken up, read the third time and passed,  
 le, by the following vote—yeas, 26; nays, 0.

s who voted are:

ssrs. Anderson, Byars, Campbell, Cromwell, Ford, Garrett, Greear,  
 rman, A. C., Harman, J. N., Hobbs, Hutcheson, Keezell, Machen,  
 Ople, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair,  
 Turner, Wallace and Wickham—26.

ne.

CKHAM moved to reconsider the vote by which the bill was  
 ick was rejected.

, Senate bill to amend and re-enact sections 1433, 1437,  
 9, 1450, 1454, 1459, 1466, 1484 and 1515 of the Code of  
 as amended by an act entitled “an act to amend and re-  
 aster 66 of the Code of Virginia, relating to public free  
 counties and to the literary fund,” approved December  
 was taken up.

EEZELL moved to dispense with the reading of the bill,  
 l by section 50 of the Constitution, and the Senate being  
 at an emergency exists, it was agreed to by the following  
 , 26; nays, 0.

s who voted are:

ssrs. Anderson, Byars, Campbell, Cromwell, Ford, Garrett,  
 ater, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Keezell,  
 McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands,  
 Tavenner, Turner, Wallace and Wickham—26.

ne.

On his further motion the bill was then passed, with the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Cromwell, F. Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutch Machen, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—26.

NAYS—None.

No. 104, Senate bill to provide for evidence of the pre State poll taxes by voters transferred from one city or another city or county, was taken up.

By unanimous consent, Mr. TAVENNER moved to recede from the vote by which the bill was engrossed, which was agreed to.

Mr. TAVENNER offered amendments.

No. 125, Senate bill to provide a commission to investigate the methods of accounting employed in the State and its subdivisions, officers whose duty it is to collect and disburse the public money, was taken up, read the third time and passed, with the following vote—ayes, 25; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Cromwell, F. Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutch Machen, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Shackelford, Tavenner, Turner and Wickham—25.

NAYS—None.

No. 126, Senate bill to require interest to be paid upon county, district and municipal taxes or levies remaining unpaid the fifteenth of June, in the year next after that in which they were or may be assessed or assessable, and to prescribe the time at which such interest shall be charged, was taken up, read the third time and passed, with its title, by the following vote—ayes, 25; noes, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, F. Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutch Machen, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Shackelford, Shands, St. Clair, Tavenner, Turner and Wickham—25.

NAYS—None.

31, House bill to provide for working and keeping in repair roads and bridges in the counties of Sussex and Greensville, and providing what tax shall be used for keeping the same in order, with certain amendments, was taken up.

HOBBS moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being advised that an emergency exists, it was agreed to by the following yeas, 29; noes, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Massie, Mollwaine, Noel, Phlegar, Rison, Sadler, Sale, St. Clair, Shands, St. Clair, Tavenner, Turner, Wallace and Wickham—29.

—None.

The committee amendment was adopted.

On this further motion the bill was then passed, with its title, by the following vote—yeas, 30; noes, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Massie, Mollwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, St. Clair, Shands, St. Clair, Tavenner, Turner, Wallace and Wickham—30.

—None.

HOBBS moved to reconsider the vote by which the bill was rejected.

121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163, Code of Virginia in relation to the appointment of commissioners in chancery, amended and re-enacted by an act approved February 4, 1890, by an act approved February 24, 1890, and by an act approved January 24, 1892, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 8, 1896, and by an act approved February 12, 1898, approved January 17, 1900, was taken up.

By unanimous consent, Mr. SALE offered a substitute, which was adopted.

The bill, as amended, was then passed, with its title, by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Campbell, Cro Garrett, Greear, Gunter, Harman, A. C. Harman, J. N., Hobbs, Keezell, Machen, Massie, McIlwaine, Noel, Phlegar, Rison, Shackelford, Shands, St. Clair, Tavenner, Turner, Wallace and V

**NAYS**—None.

No. 108, Senate bill to require any person, firm or employing large bodies of laborers to have them regularly by the board of health of counties in which they are located, committee amendments, was taken up.

Mr. WALLACE offered an amendment.

Mr. SHACKELFORD offered an amendment.

On motion of Mr. SHACKELFORD, the bill was passed by

No. 144, Senate bill to amend and re-enact sections 152 and 1538 of the Code of Virginia, as amended and re-enacted, entitled, "an act to amend and re-enact chapter 67 of the Code of Virginia, in relation to public free schools in cities and towns, creating separate school districts," approved December 31, 1901, taken up.

Mr. TAVENNER offered an amendment.

Mr. ANDERSON offered an amendment.

On motion of Mr. SADLER, the bill was passed by.

No. 96, Senate bill to provide for lists of all persons who pay their State poll taxes, and for posting the same, and for compensation therefor, was taken up and read the second time.

Mr. PHLEGAR offered an amendment, which was adopted.

The bill was then ordered to be engrossed and read a third time.

Mr. SALE moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate agreed that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Campbell, Cro Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutchins, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Shackelford, Tavenner, Turner and Wallace—24.

**NAYS**—None.

On his further motion, the bill was then passed, with the following vote—ayes, 26; nays, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Keezell, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Tavenner, Turner and Wallace—26.

ie.

moved to reconsider the vote by which the bill was passed, rejected.

on of Mr. KEEZELL, permission was granted to a sub-committee on Public Institutions and Education from the session of the Senate for two days.

Senate bill to amend and re-enact section 161 of the Code, as amended and re-enacted by an act entitled an act to re-enact sections 157, 158, 159, 160 and 161 of the Code, approved December 10, 1903, so as to allow appeal in election cases, was taken up, and, on motion of Mr. BARKS, definitely postponed.

Senate bill to amend and re-enact an act entitled an act to amend and wife competent witnesses for or against each other in civil and criminal cases, approved April 2, 1902, taken up.

MR. KEEZELL offered an amendment, which was agreed to.

Senate bill making an appropriation for the benefit of the State Horticultural Society, with committee amendment, taken up, read the second time, committee amendments adopted, bill engrossed and read a third time.

Senate bill to repeal the joint resolution adopted March 1903 transferring to the Mount Vernon Association a claim of the State of Virginia against the United States Government, was taken up and read the second time.

MR. MACHEN moved to recommit the bill to the Committee on Finance and Banks, which was rejected by the following vote—yeas,

who voted are:

rs. Greear, Gunter, Harman, J. N., Machen, McIlwaine, Noel and Turner—17.

rs. Anderson, Barksdale, Byars, Campbell, Ford, Garrett, Harman, Hutcheson, Massie, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Tavenner and Turner—18.

on of Mr. MACHEN, the bill was passed by.



On motion of Mr. MASSIE, the Senate adjourned until to-morrow at 12 o'clock.

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SATURDAY, FEBRUARY 27, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Prayer by Rev. F. T. McFADEN.  
Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

*In the House of Delegates, February 26, 1904.*

The House of Delegates has agreed to the amendments proposed to House bills, entitled, an act construing the term "road" and the term "railway" to mean the same thing in law. 43. An act to authorize Brookland School District, of Henrico county, to borrow \$5,000.00 and issue bonds therefor, to be used in paying for a school-house at Dumbarton, in said county, and for other building, No. 48.

They have passed House bill entitled an act to provide for the removal of the Houdon statue of Washington from the Capitol to the Library building, or to some other place, No. 130.

In which they request the concurrence of the Senate.

No. 130, House bill to provide for the removal of the Houdon statue of Washington from the Capitol to the Library building, or to some other place, was taken up and referred to the Committee on General Laws.

Mr. MASSIE, from the Committee on Roads and Internal Navigation, reported, with amendments.

No. 30, House bill to require the owner or owners of steamships to provide thereat suitable accommodations for the passengers of steamboats using the same.

Mr. HUTCHESON, by leave, presented

No. 223, Senate bill to amend charter of the town of La Grange, Mecklenburg county, Va.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

FAVANNER, by leave, presented  
 224, Senate bill to amend and re-enact section 3527 of the Virginia, as amended and re-enacted by an act entitled, "amend and re-enact section 3527 of the Code of Virginia, in to payment of fees to officers out of the Treasury in crimes, approved February 24, 1890, as amended and re-enacted act approved March 3, 1898.

his motion, the bill being partially read, it was referred to committee for Courts of Justice.

CAMPBELL, by leave, presented  
 225, Senate bill to amend and re-enact section 15 of an act, "an act to provide a new charter for the town of Liberty, and its limits and change the name to Bedford City," approved 3, 1890.

his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

Following House joint resolution

reas, tobacco raising is the chief occupation of the farmers  
 ge portion of Virginia; and,  
 reas, existing conditions surrounding the sale of their product  
 ccó growers are ruinous to them; and,  
 reas, we believe that the present Federal law regarding the  
 their product by the tobacco growers contributes largely to  
 impoverishing the producers by aiding and fostering gigantic  
 lies that are robbing them of the profit of their labor and  
 ly sapping the life of this great occupation in Virginia; and,  
 reas, the present Federal law depriving the farmers of the  
 sell their own tobacco to the consumers without the payment  
 unjust and prohibitive tax to the Federal Government is op-  
 e to the tobacco grower; and,  
 reas, the removal of this unjust tax, we believe, will aid the  
 in getting a living price for their tobacco and prevent, to  
 tent at least, the fixing of the price of their tobacco by any  
 monopoly as is now done without regard to the law of supply  
 demand and contrary to all the laws of equitable change and  
 and,

reas, the Hon. J. W. Gaines, of Tennessee, has introduced a  
 the Congress of the United States, having for its purpose the  
 on of this tax; now, therefore, be it  
 lved by the House of Delegates of Virginia, the Senate con-  
 , That our representatives in both branches of the Congress  
 United States are requested and urged to put forth every effort  
 re the passage of the Gaines bill, or secure the enactment of

some law which, in their judgment, will operate to relieve growers of an unjust tax and give them an opportunity to grow their own tobacco upon the market in the leaf, stemmed or unstemmed and hand-twisted, or stemmed and hand-pressed, or stemmed and hand-twisted, or stemmed and hand-pressed, without license or payment of any kind.

Was taken up. Mr. BARKSDALE offered the following

In line 21, strike out words: "Hon. J. W. Gaines, of Virginia," and insert "Hon. H. D. Flood, of Virginia."

In line 28, strike out word, "Gaines" and insert "Flood."

Which was adopted.

The joint resolution, as amended, was then adopted.

Mr. BARKSDALE was ordered to inform the House of the result thereof.

The report of the Committee on Privileges and Elections, in the contested election case of E. S. Keen vs. S. T. Turner was read and discussed. And the following resolutions were unanimously adopted.

"Resolved, That E. S. Keen was not elected and is not entitled to a seat in the Senate from the Twenty-sixth District, comprising the counties of Franklin and Floyd; and,

"Resolved, That S. T. Turner was elected and is entitled to a seat in the Senate from the Twenty-sixth District.

Mr. ANDERSON stated that he had heard most of the report before the committee, and fully concurred in the report, and gave his mission to be allowed to sign said report, which permission was granted.

No. 51, House bill to amend and re-enact sections 829, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849, and to repeal section 839 of the Code of Virginia, approved December 1, 1903, was taken up.

Mr. TAVENNER offered an amendment, which was adopted.

Mr. BARKSDALE offered an amendment, which was adopted.

The bill was then read the third time, and, on motion of Mr. TAVENNER, passed by.

Mr. McILWAINE, from the Committee for Courts and Judges, reported, with recommendation that it do not pass.

No. 113, House bill to repeal section 2507 of the Code of Virginia, as amended by an act approved March 3, 1898.

He, from the same committee, reports, with amendment.

No. 97, Senate bill to amend and re-enact section 3455 of the Code of Virginia, as amended by an act approved January 1, 1903.

y an act of the General Assembly approved December 31,  
section 3475 of chapter 170, of the Code of Virginia.

n the same committee, reports, with a substitute

; Senate bill to amend and re-enact section 3122 of the  
Virginia, as heretofore amended.

n the same committee, reports, with a substitute

Senate bill to prevent the transportation by railroad com-  
excursion and picnic parties to towns, villages, and other  
his State, not having adequate police protection, except by  
sent.

from the same committee, reports, with recommendation  
not pass,

, Senate bill to amend and re-enact an act to amend and  
tion 2260 of the Code of Virginia, relating to proceedings

House bill to amend and re-enact section 4 of an act ap-  
rch 4, 1898, amending and re-enacting sections 3 and 4  
ntitled an act to provide for a bureau of labor and indus-  
ics, and defining the duties of said bureau, approved March  
as taken up, read the third time, and rejected, with its title,  
owing vote—ayes, 17; noes, 2.

who voted are:

ssrs. Anderson, Byars, Ford, Greear, Gunter, Harman, A. C., Har-  
Hobbs, Hutcheson, Machen, Massie, McIlwaine, Rlson, Sears,  
Turner and Wallace—17.

ssrs. Barksdale and Garrett—2.

CKHAM moved that the Senate adjourn until Monday at 12  
ich was agreed to by the following vote—ayes, 12; noes, 8.

who voted are:

ssrs. Anderson, Barksdale, Ford, Harman, A. C., Hobbs, Mann,  
d, Phlegar, Rlson, Wallace and Wickham—12.

ssrs. Greear, Gunter, Harman, J. N., Machen, McIlwaine, Tav-  
er and Walker—8.

MONDAY, FEBRUARY 29, 1904.

Senator W. P. BARKSDALE in the chair.

Prayer by Rev. Dr. Russell Cecil.

Journal of Saturday read by the Clerk.

A communication from the House of Delegates, by their  
was read as follows:

*In the House of Delegates, February 27, 1904.*

The House of Delegates has agreed to the amendments proposed by the Senate to House joint resolution relating to a bill in Code of Virginia providing for the abolition of the tax on tobacco.

Mr. GARRETT, from the Committee on General Laws, respectfully reports

No. 193, Senate bill to regulate the sale of flour, meal, or ship stores, with amendment.

And he, from the same committee, also reports

No. 109, House bill to authorize the erection of a bronze statue of Governor William Smith, on the Capitol Square, in the city of Richmond, without amendment.

Mr. TAVENNER, by leave, presented

No. 226, Senate bill to amend and re-enact section 826 of the Code of Virginia, as amended and re-enacted by an act entitled "An act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Counties, Cities and Towns.

Mr. TAVENNER, by leave, presented

No. 227, Senate bill to amend and re-enact section 832 of the Code of Virginia, as amended and re-enacted by an act entitled "An act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 840, 841, 846, 847, 849, and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. TAVENNER, by leave, presented

No. 228, Senate bill to prescribe the jurisdiction of Boards of Supervisors in matters pertaining to county roads, toll roads, bridges, ferries and mills.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

HEN, by leave, presented

Senate bill to amend and re-enact sub-section 6, of section Code of Virginia, as amended and re-enacted by an act approved February 7, 1903.

On motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

LEGAR, by leave, presented

Senate bill to amend and re-enact section 3978 of the Code of Virginia, as amended by an act approved January 2, 1904, chapter 549 of the Acts of the special session of 1902-3-4.

On motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

House bill to amend and re-enact sections 826, 831, 832, 835, 836, 838, 840, 841, 846, 847, 849, and 850, and to amend section 839 of the Code of Virginia, approved December 31, 1903, taken up, and, on motion of Mr. FULTON, indefinitely postponed.

Senate bill to repeal the joint resolution adopted March 1, 1903, transferring to the Mount Vernon Association a claim of the State of Virginia against the United States Government, was taken up, and, on motion of Mr. BARKSDALE, recommitted to the Committee on Finance and Banks.

A message was received from the Governor, by his secretary, as follows:

COMMONWEALTH OF VIRGINIA,  
GOVERNOR'S OFFICE,  
RICHMOND, VA., February 29, 1904.

State;

To appoint, subject to your confirmation, James B. Doherty, Commissioner of Labor Statistics, for the term of two years, beginning January 1, 1904.

A. J. MONTAGUE.

N. HARMAN, by leave, presented

Senate bill to repeal chapter 188 of the Acts of the General Assembly of Virginia, and also chapter 4 of the Acts of the General Assembly approved December 17, 1901, in relation to working and repairing the public roads of Tazewell county.

On motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

N. HARMAN, by leave, presented

Senate bill to amend and re-enact section 666 of the Code of Virginia, as amended by chapter 794 of Acts of General Assembly approved March 5, 1900, in relation to sale of delinquent

MONDAY, FEBRUARY 29, 1904.

Senator W. P. BARKSDALE in the chair.

Prayer by Rev. Dr. Russell Cecil.

Journal of Saturday read by the Clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

*In the House of Delegates, February 27, 1904.*

The House of Delegates has agreed to the amendments proposed by the Senate to House joint resolution relating to a bill in Code of Virginia providing for the abolition of the tax on tobacco.

Mr. GARRETT, from the Committee on General Laws, reports

No. 193, Senate bill to regulate the sale of flour, meal, or ship stores, with amendment.

And he, from the same committee, also reports

No. 109, House bill to authorize the erection of a bronze statue of Governor William Smith, on the Capitol Square, in the city of Richmond, without amendment.

Mr. TAVENNER, by leave, presented

No. 226, Senate bill to amend and re-enact section 826 of the Code of Virginia, as amended and re-enacted by an act entitled "to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Counties, Cities and Towns.

Mr. TAVENNER, by leave, presented

No. 227, Senate bill to amend and re-enact section 832 of the Code of Virginia, as amended and re-enacted by an act entitled "to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 840, 841, 846, 847, 849, and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. TAVENNER, by leave, presented

No. 228, Senate bill to prescribe the jurisdiction of Boards of Supervisors in matters pertaining to county roads, toll roads, bridges, ferries and mills.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

SEN, by leave, presented

Senate bill to amend and re-enact sub-section 6, of section Code of Virginia, as amended and re-enacted by an act approved January 7, 1903.

On motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

LEGAR, by leave, presented

Senate bill to amend and re-enact section 3978 of the Code of Virginia, as amended by an act approved January 2, 1904, Chapter 549 of the Acts of the special session of 1902-3-4.

On motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

House bill to amend and re-enact sections 826, 831, 832, 835, 836, 838, 840, 841, 846, 847, 849, and 850, and to amend section 839 of the Code of Virginia, approved December 31, 1903, taken up, and, on motion of Mr. FULTON, indefinitely postponed.

Senate bill to repeal the joint resolution adopted March 1, 1903, transferring to the Mount Vernon Association a claim of the Commonwealth of Virginia against the United States Government, was taken up, and, on motion of Mr. BARKSDALE, recommitted to the Committee on Finance and Banks.

A message was received from the Governor, by his secretary, as follows:

COMMONWEALTH OF VIRGINIA,  
GOVERNOR'S OFFICE,  
RICHMOND, VA., February 29, 1904.

ate;

To appoint, subject to your confirmation, James B. Doherty, Commissioner of Labor Statistics, for the term of two years, beginning January 1, 1904.

A. J. MONTAGUE.

N. HARMAN, by leave, presented

Senate bill to repeal chapter 188 of the Acts of the General Assembly of Virginia, and also chapter 4 of the Acts of the General Assembly approved December 17, 1901, in relation to working and repairing the public roads of Tazewell county.

On motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

N. HARMAN, by leave, presented

Senate bill to amend and re-enact section 666 of the Code of Virginia, as amended by chapter 794 of Acts of General Assembly approved March 5, 1900, in relation to sale of delinquent



lands purchased in the name of the Auditor, and to repeal a conflicting acts.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. MANN, by leave, presented

No. 233, Senate bill to amend and re-enact first sub-division section 1447, of the Code of Virginia, as amended and re-enacted by act approved December 28, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. MANN, by leave, presented

No. 234, Senate bill to amend section one of an act of the General Assembly of Virginia, providing for the election of two commissioners of the revenue for the county of Nottoway.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 63, House bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898, was taken up, and rejected, with its title, by a yeas and nays vote—yeas, 11; nays, 12.

Senators who voted are:

YEAS—Messrs. Byars, Ford, Greear, Harman, A. C., Harman, J. N., Mann, McIlwaine, Noel, Phlegar and Walker—11.

NAYS—Messrs. Barksdale, Garrett, Gunter, Hobbs, Hutcheson, Massey, Shands, Tavenner, Turner, Wallace and Wickham—12.

Mr. GARRETT moved to reconsider the vote by which the bill was passed, which was rejected.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching, or purchasing oysters therein, or for the purpose of catching fish with a pot, purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State, or for the purpose of converting the same into oil, manure, or fertilizer, and to provide a penalty for the violation of this act, was taken up, and, on motion of Mr. WALKER, made the special and calendar order of the day for Tuesday, March 1st, at 12:15 o'clock.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, with recommendation that the Committee for Courts of Justice do pass the bill.



proved December 31, 1903, as relates to said section 847 of the Code of Virginia, was taken up and read the second time.

No. 60, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled, "an act to provide for the repair of the building and keeping in repair the public roads and bridges in the county of Loudoun," was taken up and read the second time.

No. 47, Senate bill appropriating \$17,000.00 per annum for five years to the Medical College of Virginia for the general purposes of the College, and to provide free hospital treatment to the sick of the Commonwealth, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. ANDERSON offered an amendment.

No. 20, Senate bill to appropriate \$25,000 for the erection of a new building plant to furnish heat, light and power to the Governor's Mansion, the State Library, and the State Capitol, and to provide for the removal of the heat and power plants now in said buildings, was the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up, and, on motion of Mr. ANDERSON, passed by until Friday, March 4, 1904.

The Committee on Library presented the following committee report:

No. 235, Senate bill to provide offices and rooms for the use of the Department of Education and Public Instruction, for the use of the Court of Appeals, and to appropriate the sum of \$1,440.00 for the purchase of much thereof as may be necessary, for the payment of the interest on the same, and to prescribe the method of such payment.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 129, Senate bill to amend and re-enact section 312 of the Code of Virginia as heretofore amended, with committee substitute, was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the yeas and nays—yeas, 24; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Mach, Massie, McIlwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, and Wickham—24.

**NAYS**—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed; and

engrossed, on his further motion, was passed by the following yeas, 24; nays, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Waine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
—24.

e.

Senate bill to amend and re-enact section 603 of the Code of 1887, as amended and re-enacted by acts of the General Assembly of 1897-1898, page 671, was taken up.

Mr. Waine moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied an emergency exists, it was agreed to by the following vote—yeas, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Waine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
—24.

e.

was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following yeas, 24; nays, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Waine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
—24.

e.

Senate bill to prevent the transportation by railroad companies of excursion and picnic parties to towns, villages and other parts of the State, not having adequate police protection, except by committee substitute, was taken up.

Mr. Waine moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Mache Massie, McIlwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner and Wickham—24.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed; and forthwith engrossed, on his further motion, was passed by the following vote—yeas, 23; nays, 0.

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Mache Massie, McIlwaine, Noel, Phlegar, Sadler, Tavenner, Turner, Wickham—23.

NAYS—None.

On motion of Mr. McILWAINE, the title was amended.

The hour of 2 o'clock P. M. having arrived, the chair was until 3:30 o'clock P. M.

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## EVENING SESSION.

MONDAY, FEBRUARY 29, 1904.

Senator W. P. BARKSDALE in the chair.

No. 112, House bill to amend and re-enact section 906 of the Code of Virginia and to repeal section 907 of the Code of Virginia concerning property levied on or distrained by an officer, was taken up and read the first time.

No. 82, House bill to amend and re-enact section 2690 of the Code of Virginia in reference to notice to be given by commissioners of accounts, was taken up and read the first time.

No. 81, House bill to amend and re-enact section 2693 of the Code of Virginia, in reference to posting lists of fiduciaries by commissioners of accounts, was taken up and read the first time.

No. 5, House bill to amend and re-enact sub-section 2 of section 2070a, and section 2079 of the Code, as amended by an act of May 14, 1903, entitled, "an act to amend and re-enact chap

Virginia in relation to the preservation of certain useful animals, and to prevent unlawful hunting, and to repeal certain of the Code," &c., was taken up and read the first time. Unanimous consent, Mr. ANDERSON moved to recommit the bill to the Committee on Fish and Game, which was agreed to.

House bill to define and determine the natural oyster beds, shoals of the State, to provide for an investigation and examination of certain public grounds within the Baylor Geodetic Survey, to determine what part of such ground is natural beds, rocks or what part barren ground; to provide for leasing such barren ground to citizens of the State, to appoint a special joint committee to carry into effect the provisions of this act, and to appropriate money to defray the expenses incurred hereunder, was taken up and read the first time.

House bill to amend and re-enact sections 420 and 421 of the Code of Virginia, in relation to the public debt, approved December 17, 1903, was taken up and read the first time.

House bill to amend and re-enact sections 2434 and 2618 of the Code of Virginia, was taken up and read the first time.

House bill to amend and re-enact section 3916 of the Code of Virginia, as amended and re-enacted by an act approved December 17, 1903, was taken up and read the first time.

House bill in relation to the commitment of minors to the State of Virginia, their custody therein, the compensation and expenses of, such custody, and their discharge therefrom, was taken up and read the first time.

House bill to repeal section 2507 of the Code of Virginia, in relation to the public debt, by an act approved March 3, 1898, was taken up and read the first time.

On motion of Mr. McILWAINE, the bill was indefinitely postponed.

House bill to require the owner or owners of steamboats to provide thereat suitable accommodations for the patrons using the same, was taken up and read the first time.

Senate bill to amend and re-enact an act entitled, "an act to amend the probate of wills, the apportionment of appraisers of the estates of decedents, and appointment and qualification of representatives, guardians, curators, committees, by the clerks of the courts," approved May 15, 1903, was taken up and read the first time.

Senate bill to amend and re-enact section 2533 of the Code of Virginia, in relation to the jurisdiction of the courts, as amended by an act approved December 12, 1903, was taken up and read the first time. House bill to amend and re-enact section 2533 of the Code of Virginia, as amended by an act approved March 7, 1894, and to

amend and re-enact sections 2534 and 2538 of the Code of Virginia and to amend section 2547 of the Code of Virginia as amended by an act approved February 23, 1898, in relation to the jurisdiction of the probate of wills, was taken up and read the first time.

No. 6, House bill to provide for the establishment, proper maintenance, and permanent improvement of the public roads and bridges for building and keeping in good order and repair of all public bridges, causeways, and wharves in the State of Virginia, was taken up, and, on motion of Mr. WALKER, made the special and calendar order of the day for Thursday, February 3, 1904, at 12:30 o'clock.

On motion of Mr. HUTCHESON, three days' leave of absence was granted Mr. SHANDS.

No. 102, Senate bill to amend and re-enact sections 2599, 2601, and 2602, as amended by an act approved January 18, 1888, providing for the appointment of guardians by the judges of the county and corporation courts, was taken up and read the first time.

No. 103, Senate bill to amend and re-enact section 376 of the Code of Virginia, as amended by an act approved February 23, 1898, which is chapter 513 of the Acts of 1897-1898, was taken up and read the first time.

No. 169, Senate bill to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903, entitled, "an act to amend and re-enact chapter 513 of the Code of Virginia, in relation to the assessment of lands and taxes," was taken up and read the first time.

No. 173, Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Henrico, Virginia, and to prohibit the sale, barter or exchange of such liquors in said town, except as provided by this act, was taken up and read the first time.

No. 188, Senate bill to provide for the payment of pensioners under the pension act of April 2, 1902, whose claims were not approved and filed in the office of the Auditor of Public Accounts prior to September 1, 1903, was taken up and read the first time.

No. 97, to amend and re-enact section 3455 of the Code of Virginia, as amended by an act approved January 18, 1888, as amended by an act of the General Assembly approved December 31, 1898, section 3475 of chapter 170 of the Code of Virginia, was taken up and read the first time.

No. 185, Senate bill to amend and re-enact an act to amend and re-enact section 2260 of the Code of Virginia, relating to property division for divorce, was taken up and read the first time.

The President laid before the Senate a communication from the Governor, which was laid on the table and ordered printed.

Senate bill to authorize the city of Roanoke to donate or  
te owned by it to any State institution.

GAR moved that the Committee on County, City and  
ization be discharged from further consideration of the  
was agreed to by the following vote—yeas, 21; nays,

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter,  
, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar,  
Tavener, Turner, Walker and Wallace—21.

EGAR moved to dispense with the reading of the bill,  
by section 50 of the Constitution, and the Senate being  
an emergency exists, it was agreed to by the following  
21; nays, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter,  
, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar,  
Tavener, Turner, Walker and Wallace—21.

EGAR offered amendments, which were adopted.  
s amended, was then ordered to be engrossed; and being  
grossed, on his further motion, was passed, with its title,  
ing vote—yeas, 21; nays, 0.

who voted are:

rs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter,  
, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar,  
Tavener, Turner, Walker and Wallace—21.

Senate bill to authorize the town of Salem and the county  
or either of them to appropriate money for the purpose  
he location of a State Female Normal School, at or near  
Salem, and to authorize the issue of bonds in connection

EGAR moved that the Committee on County, City and  
ization be discharged from further consideration of the  
was agreed to by the following vote—yeas, 22; nays 0.



Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwain, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

NAYS—None.

Mr. PHLEGAR moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwain, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwain, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

NAYS—None.

No. 105, Senate bill to authorize the town of Strasburg to issue bonds not liable to corporation taxation, and to borrow money for the purpose of establishing water works for said town, and for other purposes.

Mr. TAVENNER moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwain, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

NAYS—None.

WENNER moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 22; nays, 0.

Those who voted are:

Members. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, N., Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, T. S. Siler, Sears, Tavenner, Turner, Walker and Wallace—22.

None.

It was then ordered to be engrossed; and being forthwith entered on his further motion, was passed, with its title, by the following yeas, 22; nays, 0.

Those who voted are:

Members. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, T. S. Siler, Sears, Tavenner, Turner, Walker and Wallace—22.

None.

9, Senate bill to amend and re-enact section 3978 of the Virginia, as amended by an act approved January 2, 1904, Chapter 549 of the Acts of the special session of 1902-3-4. McILWAINE moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Those who voted are:

Members. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, T. S. Siler, Sears, Tavenner, Turner, Walker and Wallace—22.

None.

McILWAINE moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, G. Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith grossed, on his further motion, was passed, with its title, by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, G. Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Sears, Tavenner, Turner and Wallace—21.

NAYS—None.

No. 109, House bill to authorize the erection of a bronze statue of Governor William Smith on the Capitol Square, in the city of Richmond, was taken up.

Mr. FORD moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 20; nays, 1.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Ford, Garrett, Greear, Gunter, H. J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner and Wallace—20.

NAYS—Mr. Anderson—1.

On motion of Mr. WALKER, the Senate adjourned until tomorrow at 12 o'clock.

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TUESDAY, MARCH 1, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their speaker, was read as follows:

*In the House of Delegates, February 29, 1904.*

House of Delegates has agreed to the amendments proposed to House bill entitled:

to provide for working and keeping in repair the roads in the counties of Sussex and Greensville, and providing shall be used for keeping the same in order, No. 31.

have passed House bills entitled:

to amend and re-enact section 3804 of the Code of Virginia, as amended by an act approved March 5, 1900, No. 96.

to prohibit the selling, giving or furnishing of any spirituous or malt liquors or intoxicating liquors to minors or certain students, No. 97.

an act concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary, No.

which they request the concurrence of the Senate.

House bill to prohibit the sale of intoxicating liquors on which was taken up and referred to the Committee on Finance and

House bill to prohibit the selling, giving or furnishing of spirituous or malt liquors or intoxicating liquors to minors or students, was taken up and referred to the Committee on Finance and Banks.

House bill concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary, was taken up and referred to the Committee on Finance and

WICKHAM, from the Committee on Finance and Banks, reported without amendment,

House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia, to prohibit all persons, firms, corporations, to sell, barter, or furnish such liquor in said town, and to repeal all laws in conflict therewith so far as they apply to said town.

as reported, from the same committee, with substitute and amended title,

Senate bill to amend and re-enact section 43 of an act approved April 16, 1903, entitled an act to raise revenue for support of government and public free schools and pay the interest on the public debt, and to provide a special tax for pensions. The bill was taken up.

N. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Byars, Campbell, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Turner, Walker, Wallace and Wickham—27.

**NAYS**—None.

Mr. J. N. HARMAN offered an amendment to the committee substitute, which was adopted.

The committee substitute, as amended, was then adopted.

The bill, as amended, was then ordered to be engrossed; and forthwith engrossed, on his further motion, was passed by the following votes—yeas, 28; nays, 0.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Turner, Walker, Wallace and Wickham—28.

**NAYS**—None.

The committee substitute to the title was adopted.

Mr. J. N. HARMAN was ordered to inform the House of Delegates thereof.

He also reported, from the same committee, with recommendation that it do not pass,

No. 78, House bill to amend and re-enact section 17 of an act entitled "an act to raise revenue for the support of the government of the public free schools, and to pay the interest on the public debt, to provide a special tax for pensions, as authorized by section 18 of the Constitution," approved April 16, 1903, as amended by an act entitled "an act to raise revenue," etc., approved December 12, 1903.

He also reported, from the same committee, with amendment,

No. 224, Senate bill to amend and re-enact section 3527 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 3527 of the Code of Virginia in relation to payment of fees to officers out of the treasury in criminal cases," approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898.

Mr. HOBBS, from the Committee on Printing, reported,

nts, and with the recommendation that the bill be referred  
Committee on Finance and Banks,  
9, Senate bill to provide for the publication of the legis-  
ord.

ll was taken up and referred to the Committee on Finance  
ks.

McILWAINE, from the Committee for Courts of Justice, re-  
without amendments,

, House bill to repeal sections 1287, 1288, 1289, 1290 and  
tion 1292, as amended by an act approved March 6, 1900;  
1293 and 1294 of the Code of Virginia.

om the same committee, reported, without amendments,  
, House bill to repeal sections 1295, 1296 and 1297 of the  
Virginia.

om the same committee, reported, without amendments,  
, House bill to repeal sections 1334, 1335 and 1336 of the  
Virginia.

om the same committee, reports, with a substitute,  
5, Senate bill to amend section 3427 of the Code so as to  
ne court, when not advised of its judgment, to direct a chan-  
se to be submitted in vacation, and to provide for the ad-  
nt of courts in term for reasons deemed efficient by the  
ereof and entered of record.

ill was taken up.

McILWAINE moved to dispense with the reading of the bill,  
red by section 50 of the Constitution, and the Senate being  
that an emergency exists, it was agreed to by the following  
as, 29; nays, 0.

ors who voted are:

Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell,  
ton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutche-  
nen, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears,  
rd, Tavenner, Turner, Walker, Wallace and Wickham—29.

None.

committee substitute was adopted.

ill, as amended, was then ordered to be engrossed; and being  
h engrossed, on his further motion, was passed, with its  
the following vote—yeas, 30; nays, 0.

ors who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N.,

Hobbs, Hutcheson, Machen, McIlwaine, Noel, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and ham—30.

NAYS—None.

The committee substitute to the title was adopted.

Mr. BYARS was ordered to inform the House of Delegates the

And he, from the same committee, reported without amendment

No. 58, House bill to repeal sections 1304, 1305 and 1306 of the Code of Virginia.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 189, Senate bill to amend section 3799 of the Code of Virginia respecting violations of the Sabbath, so as to provide the right of appeal from judgments in such cases.

No. 70, House bill authorizing the board of supervisors of Patrick county to issue bonds and appropriate the proceeds thereof to the establishment of a State Normal School for girls in said county.

No. 48, House bill to authorize Brookland School District in Henrico county, to borrow \$5,000 and issue bonds therefor, to be used for paying for a school house at Dumbarton, in said county, and do other building, and to provide for the payment thereof.

No. 31, House bill to provide for working and keeping in repair the roads and bridges in the counties of Sussex and Greenville, and providing what tax shall be used for keeping the same in order.

No. 74, House bill for working the roads and building and repairing the bridges in Caroline county.

No. 43, House bill constructing the term "railroad" and the term "railway" to mean the same thing in law.

No. 118, House bill to amend and re-enact section 24a of the charter of the city of Richmond, as prescribed by an act approved February 20, 1886, entitled "an act giving authority to the city of Richmond to improve and control roads to the Reservoir and the Soldiers' Home," so as to give authority to the city of Richmond to improve and control a road running east from the corporate limits along P street to Thirty-fourth street extended to Oakwood avenue thence along Oakwood avenue to Oakwood cemetery, and to amend section 105 of the charter of the city of Richmond, providing for the election of a police justice, as prescribed in an act approved March 11, 1870, amending certain sections of the city charter, so as to extend the term of office of said police justice at four years.

McILWAINE, by leave, presented

6, Senate bill to punish the wilful or malicious taking or of the waste or packing from out any journal or box, or any locomotive, engine, tender, carriage, coach, car, caboose, used or operated upon any railroad, whether the same be by steam or electricity.

On motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

McILWAINE moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, 0.

Members who voted are:

Yeas. Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Deane, Gunter, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, McIlwaine, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Turner, Wallace and Wickham—26.

Nays. None.

McILWAINE moved to dispense with the printing and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Members who voted are:

Yeas. Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Deane, Gunter, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, McIlwaine, Phlegar, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—25.

Nays. None.

The bill was then ordered to be engrossed; and being forthwith read a second time, on his further motion, was passed with its title, by the following vote—yeas, 24; nays, 0.

Members who voted are:

Yeas. Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, McIlwaine, Phlegar, Rison, Sadler, St. Clair, Tavenner, Turner, and Wickham—24.

Nays. None.



Mr. HOLT, by leave, presented

No. 237, Senate bill to appropriate the sum of \$10,000.00 for purchase of a silver service for the battleship "Virginia," and for appointment of a committee of the General Assembly to buy and present the same.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOLT, by leave, presented

No. 238, Senate bill to make the 5th day of April, 1904, being the day selected for the launching of the battleship "Virginia," a holiday in this State.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TAVENNER, by leave presented

No. 239, Senate bill to amend and re-enact section 95 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May 20, 1903, entitled an act to amend and re-enact chapter 9 of the Code of Virginia of 1887, in relation to the election of State, county, district and city officers, and the terms of their office and filling vacancies; approved December 18, 1903."

On his motion, the bill being partially read, it was referred to the Committee on Counties, Cities and Towns.

Mr. PHLEGAR, by leave, presented

No. 240, Senate bill to provide for indigent widows of Confederate soldiers, and to appropriate a sum therefor not exceeding \$100 per annum.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or planting oysters therein, or for the purpose of catching fish with a pound purse net, fyke or weir, in any of the waters of this State, or for the purpose of taking or catching any fish in the waters of this State, or for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act; being a special and continuing order of the day, the hour of 12:15 o'clock having arrived, was taken up, and, on motion of Mr. CAMPBELL, passed by.

No. 184, Senate bill to amend and re-enact section 5 of the charter of the city of Richmond as amended and re-enacted by an act approved December 12, 1903, as amended and re-enacted by an act

March 29, 1871, relating to the election of municipal  
as taken up.

unanimous consent, Mr. ANDERSON offered an amendment,  
s adopted.

l, as amended, was then passed with its title, by the follow-  
-yeas, 32; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N.,  
lt, Hutcheson, Machen, Massie, McIlwaine, Noel, Phlegar, Rison,  
e, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace  
am—32.

one.

ANDERSON was ordered to inform the House of Delegates

, Senate bill, appropriating \$17,000.00 per annum for two  
the Medical College of Virginia for the general purposes  
lege, and to provide free hospital treatment to the indigent  
ne Commonwealth, being the special and continuing order  
y, the hour of 12:30 o'clock having arrived, was taken up.  
LE moved to reconsider the vote by which the bill was en-  
which was agreed to.

TAVENNER offered amendments, which were adopted.

grossment of the bill was then rejected by the following  
s, 13; nays, 19.

rs who voted are:

essrs. Barksdale, Bryant, Cromwell, Fulton, Gunter, Harman, A.  
Machen, Phlegar, Rison, Sale, Tavenner and Wallace—13.

essrs. Anderson, Byars, Campbell, Chapman, Ford, Greear, Har-  
Holt, Hutcheson, Massie, McIlwaine, Noel, Sadler, Sears, Shack-  
Clair, Turner, Walker and Wickham—19.

9, House bill to authorize the erection of a bronze statue  
nor William Smith on the Capitol Square, in the city of  
t, was taken up and passed, with its title, by the following  
s, 22; nays, 4.

Senators who voted are :

**YEAS**—Messrs. Barksdale, Bryant, Byars, Chapman, Cromwell, Fortson, Greear, Gunter, Harman, A. C., Hobbs, Holt, Machen, Massie, McIl Phlegar, Rison, Sadler, Sears, Shackelford, Wallace and Wickham—2

**NAYS**—Messrs. Campbell, Harman, J. N., Noel and Turner—4.

No. 108, Senate bill to require any person, firm or corporation employing large bodies of laborers to have them regularly inspected by the Board of Health of the counties in which they are located, with committee amendments, was taken up. A committee amendment was rejected. Several committee amendments were adopted.

Mr. SHACKELFORD offered an amendment, which was adopted.

Mr. WALLACE offered an amendment, which was rejected.

The bill, as amended, was then ordered to be engrossed; and forthwith engrossed, was passed by the following vote—yeas, 0.

Senators who voted are :

**YEAS**—Messrs. Barksdale, Byars, Campbell, Chapman, Cromwell, Greear, Harman, A. C., Harman, J. N., Hobbs, Holt, Hutcheson, Mann, McIlwaine, Noel, Phlegar, Sadler, Sale, Sears, Shackelford, St. Tavenner, Turner, Wallace and Wickham—26.

**NAYS**—None.

On motion of Mr. SHACKELFORD, the title was amended.

Mr. SHACKELFORD moved to reconsider the vote by which the bill was passed, which was rejected.

No. 84, Senate bill to amend and re-enact section 50 of the constitution of Virginia of 1887, as amended and re-enacted by an act entitled an act to amend and re-enact section 50 of chapter 7 of the constitution of Virginia, in relation to the apportionment of representatives in Congress, approved February 15, 1892, with committee amendments, being the special and continuing order of the day, the hour 12:30 o'clock having arrived, was taken up and read the first time.

On motion of Mr. SALE the bill was passed by.

No. 34, House bill to impose a license tax upon gypsy companies like strolling companies, was taken up.

Mr. WICKHAM moved to reconsider the vote by which the bill was passed, which was agreed to.

The bill was then passed, with its title, by the following vote—yeas, 24; nays, 4.

arged, and the bill be referred to the Committee on Finance  
ks.

24, Senate bill to amend and re-enact section 3527 of the  
Virginia, as amended and re-enacted by an act entitled, "an  
mend and re-enact section 3527 of the Code of Virginia, in  
to payment of fees to officers out of the treasury in criminal  
proved February 24, 1890, as amended and re-enacted by  
approved March 3, 1898.

Report of the committee was adopted.

From the same committee, reported, with amendments

14, Senate bill to amend and re-enact section 2500 of the  
Virginia, edition of 1887, in reference to when and where  
admitted to record, as amended by an act approved February  
, entitled, "an act to amend and re-enact section 2500 of the  
Virginia, and to amend and re-enact section 2501 of the  
amended and re-enacted by an act approved February 10,  
titled an act to amend and re-enact section 2501 of the Code,  
on to certificates of acknowledgment."

From the same committee, reported, without amendments,

7, House bill to extend the terms of commissioners of ac-  
count to authorize them to complete such accounts as are now  
due for settlement and return them to their respective circuit

From the same committee, reported, with recommendation that  
be referred to the Committee on Finance and Banks,

3, Senate bill to provide for official receipts for fines, and

0, House bill to provide for official receipts for fines.

Report of the committee was adopted.

From the same committee, reported, with amendments,

9, House bill prescribing and defining the right to an attor-  
ney in certain cases.

0, House bill to amend and re-enact section 3500 of the Code  
of Virginia, as amended and re-enacted by an act approved the 31st  
December, 1903, was taken up and read the second time.

7, House bill to amend and re-enact section 1763 of the Code  
of Virginia, as amended by an act approved March 5, 1894, relating  
to the practice of pharmacy, with committee amendments, was taken  
up and read the second time.

Committee amendments were adopted.

PHLEGAR offered an amendment, which was rejected.

ARMAN offered an amendment, which was adopted.

6, House bill to amend and re-enact section 847 of the Code  
of Virginia of 1887, and so much of an act entitled, "an act to amend  
and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841,  
87, 849, and 850, and to repeal section 839 of the Code," ap-

proved December 31, 1903, as relates to said section 847 was taken up and read the second time.

No. 60, House bill to amend and re-enact section 1 proved March 6, 1900, entitled, "an act to provide building and keeping in repair the public roads and bridges in said county, was taken up and read the second time.

No. 47, Senate bill appropriating \$17,000.00 per annum for the years to the Medical College of Virginia for the general expenses of the College, and to provide free hospital treatment to the sick of the Commonwealth, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

Mr. ANDERSON offered an amendment.

No. 20, Senate bill to appropriate \$25,000 for the purpose of building a plant to furnish heat, light and power to the Executive Mansion, the State Library, and the State Capitol, and for the removal of the heat and power plants now in said buildings, was the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up, and, on motion of Mr. ANDERSON, passed by until Friday, March 4, 1904.

The Committee on Library presented the following order:

No. 235, Senate bill to provide offices and rooms for the Department of Education and Public Instruction, for the Court of Appeals, and to appropriate the sum of \$1,000,000, much thereof as may be necessary, for the payment of the interest thereof, and to prescribe the method of such payment.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 129, Senate bill to amend and re-enact section 847 of the Code of Virginia as heretofore amended, with committee amendments, was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Fulton, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Massie, McIlwaine, Noel, Phlegar, Sadler, Sears, Tavenner, and Wickham—24.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed.

engrossed, on his further motion, was passed by the following—yeas, 24; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Milwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
am—24.

None.

, Senate bill to amend and re-enact section 603 of the Code of 1887, as amended and re-enacted by acts of the General Assembly of 1897-1898, page 671, was taken up.

HOBBS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 0.

rs who voted are:

essrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Milwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
am—24.

None.

It was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 24; nays, 0.

rs who voted are:

essrs. Anderson, Barksdale, Byars, Ford, Fulton, Garrett, Greear, Harman, A. C., Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Milwaine, Noel, Phlegar, Sadler, Sears, Tavenner, Turner, Walker  
am—24.

None.

8, Senate bill to prevent the transportation by railroad company of excursion and picnic parties to towns, villages and other places in this State, not having adequate police protection, except by committee substitute, was taken up.

MILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

No. 103, Senate bill to amend and re-enact section 3768 Code of Virginia, as amended by an act approved February 1898, which is chapter 513 of the acts of 1897-1898, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 169, Senate bill to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903, entitled "an act to amend and re-enact chapter 10 of the Code of Virginia, in relation to the assessment of land and lots," was taken up, read the second time, ordered to be engrossed and read a third time.

No. 173, Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Henry, Virginia, and to prohibit the sale, barter or exchange of intoxicating liquors in said town, except as provided by this act, with committee amendment, was taken up, read the second time, committee amendment adopted, ordered to be engrossed and read a third time.

No. 188, Senate bill to provide for the payment of pensions under the pension act of April 2, 1902, whose claims were approved and filed in the office of the Auditor of Public Accounts prior to September 1, 1903, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 97, Senate bill to amend and re-enact section 3455 of the Code of Virginia as amended by an act approved January 1903, as amended by an act of the General Assembly, approved December 31, 1903, and section 3475 of chapter 170 of the Code of Virginia, with committee amendment, was taken up, read the second time, ordered to be engrossed and read a third time, on motion of Mr. CHAPMAN, passed by.

No. 102, Senate bill to amend and re-enact sections 2599, 2601 and 2602, as amended by an act approved January 2, 1903, providing for the appointment of guardians by the judges of the circuit and corporation courts, was taken up and read the second time.

Mr. TAVENNER offered a substitute, which was adopted.

The bill, as amended, was then ordered to be engrossed and read a third time.

No. 185, Senate bill to amend and re-enact an act to amend and re-enact section 2260 of the Code of Virginia, relating to procedure for divorce, was taken up, and, on motion of Mr. McILWAIN, definitely postponed.

No. 57, Senate bill to amend and re-enact section 2485 of the Code of Virginia, as amended by an act approved December 10, 1903, entitled "an act to amend and re-enact section 2485 of the Code of Virginia" as amended by an act entitled "an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, etc., of transportation, mining and

companies on franchises and property of said company, the same may be perfected and enforced," approved February 1892, was taken up, and, on motion of Mr. SALE, indefinitely postponed.

5, Senate bill to amend and re-enact section 4036 of the Virginia, as amended and re-enacted by an act approved May 15, 1904, was taken up, read the second time, ordered to be read and read a third time.

8, Senate bill to amend and re-enact an act entitled an act husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902, was taken up, ordered to be engrossed and read a third time.

Senate bill to amend and re-enact section 3813 of the Code of Virginia, was taken up, read the second time, and, on motion of Mr. SALE, passed by.

Senate bill authorizing the board of supervisors of Patrick and Giles counties to levy a capitation tax for school or other purposes, with committee amendment, was taken up, read the second time, committee amendment adopted, ordered to be engrossed and read a third time.

House bill to extend the terms of commissioners of accounts to authorize them to complete such accounts as are now pending for settlement, and return them to their respective circuits, was taken up and read the first time.

4, Senate bill to amend and re-enact section 2500 of the Code of Virginia, edition of 1887, in reference to when and where admitted to record, as amended by an act approved February 1896, entitled "an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code of Virginia, as amended and re-enacted by an act approved February 1896, entitled an act to amend and re-enact section 2501 of the Code of Virginia, in relation to certificates of acknowledgment," was taken up and read the first time.

Senate bill prescribing and defining the right to an attorney in certain cases, was taken up and read the first time.

3, Senate bill to regulate the sale of flour, meal or ship-bread, was taken up and read the first time.

House bill to amend and re-enact section 847 of the Code of Virginia of 1887, and so much of an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 847, 848, 849, 850, and to repeal section 839 of the Code," approved February 31, 1903, as relates to said section 847 of the Code, was taken up, read the third time, and passed, with its title, by the following yeas, 21; nays, 0.



amend and re-enact sections 2534 and 2538 of the Code of Virginia, and to amend section 2547 of the Code of Virginia as amended by an act approved February 23, 1898, in relation to the jurisdiction of the probate of wills, was taken up and read the first time.

No. 6, House bill to provide for the establishment, protection, and permanent improvement of the public roads and for building and keeping in good order and repair of all public bridges, causeways, and wharves in the State of Virginia, was taken up, and, on motion of Mr. WALKER, made the special and order of the day for Thursday, February 3, 1904, at 12:30.

On motion of Mr. HUTCHESON, three days' leave of absence was granted Mr. SHANDS.

No. 102, Senate bill to amend and re-enact sections 2601, and 2602, as amended by an act approved January 10, 1903, providing for the appointment of guardians by the judges of probate and corporation courts, was taken up and read the first time.

No. 103, Senate bill to amend and re-enact section 513 of the Code of Virginia, as amended by an act approved February 23, 1898, which is chapter 513 of the Acts of 1897-1898, was taken up and read the first time.

No. 169, Senate bill to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved February 10, 1903, entitled, "an act to amend and re-enact chapter 444 of the Code of Virginia, in relation to the assessment of land," was taken up and read the first time.

No. 173, Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Loudoun, Virginia, and to prohibit the sale, barter or exchange of such liquors in said town, except as provided by this act, was taken up and read the first time.

No. 188, Senate bill to provide for the payment of pensions under the pension act of April 2, 1902, whose claims were not approved and filed in the office of the Auditor of Public Accounts prior to September 1, 1903, was taken up and read the first time.

No. 97, to amend and re-enact section 3455 of the Code of Virginia, as amended by an act approved January 18, 1888, and by an act of the General Assembly approved December 31, 1897, section 3475 of chapter 170 of the Code of Virginia, was taken up and read the first time.

No. 185, Senate bill to amend and re-enact an act to amend and re-enact section 2260 of the Code of Virginia, relating to divorce, was taken up and read the first time.

The President laid before the Senate a communication from the Governor, which was laid on the table and ordered printed.

, Senate bill to authorize the city of Roanoke to donate or estate owned by it to any State institution.

PHLEGAR moved that the Committee on County, City and Organization be discharged from further consideration of the which was agreed to by the following vote—yeas, 21; nays,

rs who voted are:

Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, J. N., Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, ars, Tavenner, Turner, Walker and Wallace—21.

None.

PHLEGAR moved to dispense with the reading of the bill, ed by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following as, 21; nays, 0.

rs who voted are:

Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, J. N., Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, ars, Tavenner, Turner, Walker and Wallace—21.

None.

PHLEGAR offered amendments, which were adopted. ill, as amended, was then ordered to be engrossed; and being h engrossed, on his further motion, was passed, with its title, following vote—yeas, 21; nays, 0.

rs who voted are:

Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, J. N., Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, ars, Tavenner, Turner, Walker and Wallace—21.

None.

49, Senate bill to authorize the town of Salem and the county oke, or either of them to appropriate money for the purpose ing the location of a State Female Normal School, at or near n of Salem, and to authorize the issue of bonds in connection h.

PHLEGAR moved that the Committee on County, City and Organization be discharged from further consideration of the hich was agreed to by the following vote—yeas, 22; nays 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, M. Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Walk

**NAYS**—None.

Mr. PHLEGAR moved to dispense with the reading as required by section 50 of the Constitution, and the satisfied that an emergency exists, it was agreed to by vote—yeas, 22; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, M. Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Walk

**NAYS**—None.

The bill was then ordered to be engrossed; and being grossed, on his further motion, was passed, with its tit lowing vote—yeas, 22; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, M. Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Walk

**NAYS**—None.

No. 105, Senate bill to authorize the town of Stras bonds not liable to corporation taxation, and to borrow the purpose of establishing water works for said town, purposes.

Mr. TAVENNER moved that the Committee on Court Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, M. Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Walk

**NAYS**—None.

TAVENER moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, Hobbs, J. N., Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 22; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, Hobbs, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

—None.

230, Senate bill to amend and re-enact section 3978 of the Constitution of Virginia, as amended by an act approved January 2, 1904, is chapter 549 of the Acts of the special session of 1902-3-4.

McILWAINE moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Gunter, Hobbs, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Sadler, Sears, Tavenner, Turner, Walker and Wallace—22.

—None.

McILWAINE moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Sears, Tavenner, Turner, Walker and Wallace—

NAYS—None.

The bill was then ordered to be engrossed; and being for-  
gessed, on his further motion, was passed, with its title, fol-  
lowing vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Ford, Garrett, Greear, Harman, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Sears, Tavenner, Turner and Wallace—21.

NAYS—None.

No. 109, House bill to authorize the erection of a bronze statue of Governor William Smith on the Capitol Square, in the city of Richmond, was taken up.

Mr. FORD moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 20; nays, 1.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Ford, Garrett, Greear, Guntz, J. N., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, No. 109, Sadler, Sears, Tavenner, Turner and Wallace—20.

NAYS—Mr. Anderson—1.

On motion of Mr. WALKER, the Senate adjourned until Monday at 12 o'clock.

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TUESDAY, MARCH 1, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.  
Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by Mr. [unclear], was read as follows:

*In the House of Delegates, February 29, 1904.*

The House of Delegates has agreed to the amendments proposed to the Senate to House bill entitled:

An act to provide for working and keeping in repair the roads and bridges in the counties of Sussex and Greensville, and providing that tax shall be used for keeping the same in order, No. 31.

They have passed House bills entitled:

An act to amend and re-enact section 3804 of the Code of Virginia, amended by an act approved March 5, 1900, No. 96.

An act to prohibit the selling, giving or furnishing of any spirituous or malt liquors or intoxicating liquors to minors or certain students, No. 97.

And an act concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary, No.

which they request the concurrence of the Senate.

No. 96, House bill to prohibit the sale of intoxicating liquors on any day, was taken up and referred to the Committee on Finance and Banks.

No. 97, House bill to prohibit the selling, giving or furnishing of spirituous or malt liquors or intoxicating liquors to minors or students, was taken up and referred to the Committee on Finance and Banks.

No. 98, House bill concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary, was taken up and referred to the Committee on Finance and Banks.

Mr. WICKHAM, from the Committee on Finance and Banks, reported, without amendment,

No. 12, House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations, to sell, barter, or exchange such liquor in said town, and to repeal all laws in conflict with this act so far as they apply to said town.

Also reported, from the same committee, with substitute and amended title,

No. 154, Senate bill to amend and re-enact section 43 of an act passed April 16, 1903, entitled an act to raise revenue for support of the government and public free schools and pay the interest on public debt, and to provide a special tax for pensions. The bill was taken up.

Mr. J. N. HARMAN moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being

special elections held under sections 581 and 585 of the Code of Virginia, as heretofore amended, and to prohibit the payment of a capitation tax of voters in such elections by another than the voter himself or the loan of money for such payment, and to provide a penalty therefor.

He, from the same committee, reported, with amendment, that it do not pass,

No. 44, Senate bill to provide for primary elections.

The bill was taken up, and on motion of Mr. MACHEN, made a special and continuing order of the day for Friday, March 4, at 12:30 o'clock P. M.

And he, from the same committee, reports with recommendation that it do not pass,

No. 69, Senate bill to amend and re-enact section 64 of an act to repeal sections 63 and 66 and to amend and re-enact certain sections of chapter 8 of the Code of Virginia as amended by an act approved December 8, 1903, in relation to appointment of judges and clerks of election.

Mr. WICKHAM, from Committee on Finance and Banks, reports without amendment,

No. 190, Senate bill to amend and re-enact section 142 of an act of the General Assembly of Virginia, entitled "an act to amend an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 1903, and to provide how social clubs chartered since April 1903, shall obtain license to sell ardent spirits, et cetera.

He also reported from same committee, with amendment,

No. 216, Senate bill to provide for the establishing of a dispensary for the sale of intoxicating liquors in the town of Charlottesville, Pittsylvania county, Virginia, and to prohibit the sale of intoxicating liquors therein, except as herein provided.

He also reported from same committee, without amendment,

No. 98, House bill act concerning liquor dealers deprived of licenses by a local option election or the establishment of a dispensary.

He, also from same committee,

No. 40, House bill to provide for official receipts for fines.

He also reported from same committee, without amendment,

No. 235, Senate bill to provide offices and rooms for use of the department of education and public instruction, for the Supreme Court of Appeals and to appropriate sum of \$1,440, or so much thereof as may be necessary for the payment of the rental thereof and to prescribe the method of such payment.

Mr. PHLEGAR moved that the rules be suspended and the bill

amendments, and with the recommendation that the bill be referred to the Committee on Finance and Banks,

S. 219, Senate bill to provide for the publication of the legislative record.

The bill was taken up and referred to the Committee on Finance and Banks.

Mr. McILWAIN, from the Committee for Courts of Justice, reported, without amendments,

S. 55, House bill to repeal sections 1287, 1288, 1289, 1290 and section 1292, as amended by an act approved March 6, 1900; and sections 1293 and 1294 of the Code of Virginia.

Mr. McILWAIN, from the same committee, reported, without amendments,

S. 56, House bill to repeal sections 1295, 1296 and 1297 of the Code of Virginia.

Mr. McILWAIN, from the same committee, reported, without amendments,

S. 57, House bill to repeal sections 1334, 1335 and 1336 of the Code of Virginia.

Mr. McILWAIN, from the same committee, reports, with a substitute,

S. 15, Senate bill to amend section 3427 of the Code so as to enable the court, when not advised of its judgment, to direct a cause to be submitted in vacation, and to provide for the adjournment of courts in term for reasons deemed efficient by the court thereof and entered of record.

The bill was taken up.

Mr. McILWAIN moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being advised that an emergency exists, it was agreed to by the following yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutchen, Machen, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Skelford, Tavenner, Turner, Walker, Wallace and Wickham—29.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed; and being read with engrossed, on his further motion, was passed, with its amendments, by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N.,



the night time any barn, stable, shed, or other building containing live stock, in event such live stock be burned.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TURNER, by leave, presented

No. 244, Senate bill to amend and re-enact section 2 of an act approved March 2, 1898, entitled an act to authorize the board of supervisors of Floyd county to let to contract the public works of that county and levy tax to keep the same in repair and to amend section 3 of said act as heretofore amended.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. MACHEN presented the following resolution:

"Resolved by the Senate of Virginia, That it is the sense of the Senate that no bills be introduced in the Senate on and after the first day of March 5, 1904," which was adopted.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or carrying oysters therein, or for the purpose of catching fish with hook and line, net, purse net, fyke or weir, in any of the waters of this State for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act. On the day of March 5, 1904, having arrived, was taken up and passed, with its amendments, the following vote—yeas, 23; nays, 5.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Greear, Gunter, Harman, A. C., J. N., Hobbs, Hutcheson, Machen, McIlwaine, Ople, Phlegar, R. R., Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—23.

NAYS—Messrs. Campbell, Cromwell, Fulton, Keezell and Massie—5.

Mr. CHAPMAN stated that he was paired with Mr. MANN. As Mr. MANN were present he would vote aye and I would vote no.

Mr. BYARS, by leave, presented

No. 245, Senate bill to provide for the appointment of a commission to investigate and report upon the advisability of establishing a State Sanitarium for indigent consumptives.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 84, Senate bill to amend and re-enact section 50 of the

ia of 1887, as amended and re-enacted by an act entitled amend and re-enact section 50 of chapter 7 of the Code of in relation to the apportionment of representation in approved February 15, 1892, with committee amending the special and continuing order of the day, the hour o'clock having arrived, was taken up, read the second time, amendments adopted, ordered to be engrossed and read me.

House bill to provide for the extension of the corporate cities and towns, being the special and continuing order, the hour of 12:30 o'clock having arrived, was taken up. ANDERSON moved to dispense with the reading of the bill, and by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

s who voted are:

essrs. Anderson, Barkedale, Campbell, Chapman, Ford, Fulton, Harman, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, Milwaine, Ople, Phlegar, Revercomb, Risson, Sadler, St. Clair, Turner and Wickham—24.

one.

VENNER offered an amendment, which was rejected.

ANDERSON offered an amendment, which was adopted.

DLER offered an amendment.

C. HARMAN, by leave, presented

, Senate bill to extend the powers and duties of the Board es.

motion, the bill being partially read, it was referred to the e on Fish and Game.

LTON, by leave (by request), presented

, Senate bill to amend and re-enact sub-division "b" of of an act approved December 21, 1901, entitled "an act to e the town of Fries, in Grayson county, Virginia, as y an act approved March 29, 1902.

motion, the bill being partially read, it was referred to the mittee on Special, Private and Local Legislation.

CKHAM moved that at this afternoon session only uncon- ters be considered, which was agreed to.

r of 2 o'clock having arrived, the chair was vacated until k P. M.

Mr. HOLT, by leave, presented

No. 237, Senate bill to appropriate the sum of \$10,000 purchase of a silver service for the battleship "Virginia," and appointment of a committee of the General Assembly to present the same.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

Mr. HOLT, by leave, presented

No. 238, Senate bill to make the 5th day of April, 1904, a day selected for the launching of the battleship "Virginia," a holiday in this State.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TAVENNER, by leave presented

No. 239, Senate bill to amend and re-enact section 95 of the Code of Virginia, as amended and re-enacted by an act entitled "An act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May 20, 1903, entitled an act to amend and re-enact section 9 of the Code of Virginia of 1887, in relation to the duties of State, county, district and city officers, and the terms of their office and filling vacancies; approved December 18, 1903."

On his motion, the bill being partially read, it was referred to the Committee on Counties, Cities and Towns.

Mr. PHLEGAR, by leave, presented

No. 240, Senate bill to provide for indigent widows of deceased soldiers, and to appropriate a sum therefor not exceeding \$100 per annum.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or carrying oysters therein, or for the purpose of catching fish with a trawl, purse net, fyke or weir, in any of the waters of this State, for the purpose of taking or catching any fish in the waters of this State, or for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act; passed by special and continuing order of the day, the hour of 12:30, having arrived, was taken up, and, on motion of Mr. C. H. HARRIS, passed by.

No. 184, Senate bill to amend and re-enact section 5 of the Code of the city of Richmond as amended and re-enacted by an act approved December 12, 1903, as amended and re-enacted

red March 29, 1871, relating to the election of municipal  
was taken up.

unanimous consent, Mr. ANDERSON offered an amendment,  
was adopted.

bill, as amended, was then passed with its title, by the follow-  
te—yeas, 32; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
ell, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N.,  
Holt, Hutcheson, Machen, Massie, McIlwaine, Noel, Phlegar, Rison,  
Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace  
ckham—32.

—None.

ANDERSON was ordered to inform the House of Delegates  
f.

47, Senate bill, appropriating \$17,000.00 per annum for two  
to the Medical College of Virginia for the general purposes  
college, and to provide free hospital treatment to the indigent  
f the Commonwealth, being the special and continuing order  
day, the hour of 12:30 o'clock having arrived, was taken up.  
SALE moved to reconsider the vote by which the bill was en-  
d, which was agreed to.

TAVENNER offered amendments, which were adopted.  
e engrossment of the bill was then rejected by the following  
-yeas, 13; nays, 19.

ators who voted are:

—Messrs. Barksdale, Bryant, Cromwell, Fulton, Gunter, Harman, A.  
bbs, Machen, Phlegar, Rison, Sale, Tavenner and Wallace—13.

—Messrs. Anderson, Byars, Campbell, Chapman, Ford, Greear, Har-  
J. N., Holt, Hutcheson, Massie, McIlwaine, Noel, Sadler, Sears, Shack-  
St. Clair, Turner, Walker and Wickham—19.

. 109, House bill to authorize the erection of a bronze statue  
overnor William Smith on the Capitol Square, in the city of  
mond, was taken up and passed, with its title, by the following  
-yeas, 22; nays, 4.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Chapman, Cromwell, Greear, Gunter, Harman, A. C., Hobbs, Holt, Machen, Mann, Phlegar, Rison, Sadler, Sears, Shackelford, Wallace and Wickham—26.

**NAYS**—Messrs. Campbell, Harman, J. N., Noel and Turner—0.

No. 108, Senate bill to require any person, firm or corporation employing large bodies of laborers to have them regulated by the Board of Health of the counties in which they are employed, with committee amendments, was taken up. A committee amendment was rejected. Several committee amendments were rejected.

Mr. SHACKELFORD offered an amendment, which was rejected.

Mr. WALLACE offered an amendment, which was rejected.

The bill, as amended, was then ordered to be engrossed for the Senate. The bill, as amended, was then ordered to be engrossed forthwith engrossed, was passed by the following vote: yeas, 26; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Byars, Campbell, Chapman, Cromwell, Greear, Harman, A. C., Harman, J. N., Hobbs, Holt, Hutchins, Mann, McIlwaine, Noel, Phlegar, Sadler, Sale, Sears, Shackelford, Tavenner, Turner, Wallace and Wickham—26.

**NAYS**—None.

On motion of Mr. SHACKELFORD, the title was amended.

Mr. SHACKELFORD moved to reconsider the vote by which the bill was passed, which was rejected.

No. 84, Senate bill to amend and re-enact section 50 of chapter 7 of the Code of Virginia of 1887, as amended and re-enacted by an act to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the apportionment of representatives to Congress, approved February 15, 1892, with committee amendments, being the special and continuing order of the day, at 12:30 o'clock having arrived, was taken up and read.

On motion of Mr. SALE the bill was passed by.

No. 34, House bill to impose a license tax upon persons like strolling companies, was taken up.

Mr. WICKHAM moved to reconsider the vote by which the bill was passed, which was agreed to.

The bill was then passed, with its title, by the following vote: yeas, 24; nays, 4.

ANN, by leave, presented  
 1, a bill to repeal an act of the General Assembly of Vir-  
 titled "an act to repeal an act entitled 'an act to impose a  
 corporations chartered and organized as social clubs desiring  
 quors at their club houses or other places of meeting, to  
 given away by the members of the corporation for the  
 of the government and public free schools, and to pay the  
 the public debt, and to prescribe the mode of paying  
 and penalty for its non-payment: to define the privileges  
 ubs, and to prescribe in what cases their charters may be  
 ' approved February 23, 1898, and to amend and re-enact  
 4 of an act entitled "an act to raise revenue for the sup-  
 government and public free schools, and to pay the inter-  
 public debt, and to provide a special tax for pensions as  
 by section 189 of the Constitution," approved April 16,  
 to repeal the charters of all said clubs granted by the  
 poration Commission since April 16, 1903, approved De-  
 , 1903.

motion, the bill being partially read, it was referred to the  
 e on Finance and Banks.

APMAN, by leave (by request), presented  
 2, a bill to repeal section 1897 of the Code of Virginia  
 mend and re-enact section 1898 of the Code of Virginia,  
 d and re-enacted by an act approved February 5, 1890, as  
 by an act approved March 7, 1894, as amended by an act  
 February 23, 1898, as amended by an act approved Jan-  
 1898.

motion, the bill being partially read, it was referred to the  
 e on Agriculture, Mining and Manufacturing.

, House bill to extend the terms of commissioners of ac-  
 d to authorize them to complete such accounts as are now  
 m for settlement, and return them to their respective cir-  
 s, was taken up and read the second time.

Senate bill to amend and re-enact an act entitled "an act  
 e the probate of wills, the appointment of appraisers of  
 s of decedents, and appointment and qualification of per-  
 esentatives, guardians, curators, committees, by the clerks  
 courts," approved May 15, 1903, was taken up and read  
 l time.

ANDS offered an amendment, which was rejected.

l was then ordered to be engrossed and read a third time.

, Senate bill to amend and re-enact section 2533 of the  
 Virginia, edition of 1887, in reference to the jurisdiction  
 bate of wills, as amended by an act approved December

Senators who voted are:

**YEAS**—Messrs. Anderson, Bryant, Campbell, Cromwell, Ford, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Hut Mann, Massie, McIlwaine, Noel, Phlegar, Sadler, Sears, Clair, Tavenner, Turner, Wallace and Wickham—27.

**NAYS**—None.

And he was ordered to inform the House of Delegates No. 147, Senate bill to amend and re-enact an act to appropriate certain sums of money from the treasury in aid of Confederate memorial associations having intermentaries containing the graves of Confederate soldiers," February 8, 1904, was taken up.

Mr. TAVENNER offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed forthwith engrossed, was passed, with its title, by yeas, 24; nays, 5.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campton, Ford, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Hut Mann, Massie, McIlwaine, Risson, Sale, Sears, Shackelford, St. John and Wickham—24.

**NAYS**—Messrs. Greear, Harman, J. N., Noel, Sadler and Tavenner—5.

Mr. ANDERSON, by leave, presented

No. 242, Senate bill to provide for the settlement of land transfer, and assurance of titles to land, and to establish a land registration, with jurisdiction for said purposes.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

On motion of Mr. ANDERSON, the Senate resolved to adjourn to the next executive session; and having dispatched the business before the Senate, the doors were opened and the following resolution adopted: "That the Senate do adjourn to the next executive session (injunction of secrecy being removed) without debate, and spread on the Journal of the Senate and a copy thereof be forwarded to the Governor:

Resolved, That the Senate advise and confirm the appointment of James B. Doherty, as Commissioner of Insurance, for the term of two years, beginning March 1, 1904.

The hour of 2 o'clock P. M. having arrived, the chamber adjourned until 3:30 o'clock.

to prohibit all persons, firms, corporations to sell, barter, or give such liquor in said town, and to repeal all laws in connection with this act so far as they apply to said town, was taken up and read the first time.

House bill to repeal sections 1287, 1288, 1290 and 1291; 1292, as amended by an act approved March 6, 1900; sections 1293 and 1294 of the Code of Virginia, was taken up and read the first time.

House bill to repeal sections 1295, 1296 and 1297 of the Code of Virginia, was taken up and read the first time.

House bill to repeal sections 1334, 1335 and 1336 of the Code of Virginia, was taken up and read the first time.

House bill to repeal sections 1304, 1305 and 1309 of the Code of Virginia, was taken up and read the first time.

House bill to amend and re-enact section 17 of an act to provide for an act to raise revenue for the support of the government of the free schools, and to pay the interest on the public debt, to provide a special tax for pensions as authorized by section 17 of the Constitution," approved April 16, 1903, as amended by an act entitled "an act to raise revenue," etc., approved December 1, 1903, was taken up and read the first time.

Senate bill to amend and re-enact section 3527 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 3527 of the Code of Virginia, relating to payment of fees to officers out of the treasury in criminal cases," approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898, was taken up and read the first time.

On the motion of Mr. MASSIE, the Senate adjourned until to-morrow morning at 10 o'clock.

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## MORNING SESSION.

THURSDAY, MARCH 3, 1904.

President-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. John Moncure.

Roll call of yesterday read by the Clerk.

Communication from the House of Delegates, by their clerk, read as follows:



No. 103, Senate bill to amend and re-enact section of the Code of Virginia, as amended by an act approved February 18, 1898, which is chapter 513 of the acts of 1897-1898, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 169, Senate bill to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved November 10, 1903, entitled "an act to amend and re-enact chapter 10 of the Code of Virginia, in relation to the assessment of lots," was taken up, read the second time, ordered to be engrossed and read a third time.

No. 173, Senate bill to establish a dispensary for intoxicating liquors in the town of Ridgeway, in the county of Henry, Virginia, and to prohibit the sale, barter or exchange of liquors in said town, except as provided by this act, with committee amendment, was taken up, read the second time, committee amendment adopted, ordered to be engrossed and read a third time.

No. 188, Senate bill to provide for the payment of pension under the pension act of April 2, 1902, whose claim was approved and filed in the office of the Auditor of Public Accounts prior to September 1, 1903, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 97, Senate bill to amend and re-enact section 3475 of the Code of Virginia as amended by an act approved January 13, 1903, as amended by an act of the General Assembly, approved March 31, 1903, and section 3475 of chapter 170 of the Code of Virginia, with committee amendment, was taken up, read the second time, on motion of Mr. CHAPMAN, passed by.

No. 102, Senate bill to amend and re-enact sections 2601 and 2602, as amended by an act approved January 13, 1903, providing for the appointment of guardians by the judge of probate and corporation courts, was taken up and read the second time.

Mr. TAVENNER offered a substitute, which was adopted.

The bill, as amended, was then ordered to be engrossed and read a third time.

No. 185, Senate bill to amend and re-enact an act to amend and re-enact section 2260 of the Code of Virginia, relating to divorce, was taken up, and, on motion of Mr. McLIN, definitely postponed.

No. 57, Senate bill to amend and re-enact section 2485 of the Code of Virginia, as amended by an act approved December 1, 1902, entitled "an act to amend and re-enact section 2485 of the Code of Virginia" as amended by an act entitled "an act to amend and re-enact sections 2485 and 2486 of the Code of Virginia, in relation to the lien of employees, etc., of transportation, mining

ing companies on franchises and property of said company, now the same may be perfected and enforced," approved February 15, 1892, was taken up, and, on motion of Mr. SALE, indefinitely postponed.

155, Senate bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved February 15, 1904, was taken up, read the second time, ordered to be engrossed and read a third time.

138, Senate bill to amend and re-enact an act entitled an act to make the husband and wife competent witnesses for or against each other in certain civil and criminal cases, approved April 2, 1902, was taken up, ordered to be engrossed and read a third time.

131, Senate bill to amend and re-enact section 3813 of the Code of Virginia, was taken up, read the second time, and, on motion of Mr. SALE, passed by.

176, Senate bill authorizing the board of supervisors of Patrick and Grayson counties to levy a capitation tax for school or other purposes, with committee amendment, was taken up, read the second time, committee amendment adopted, ordered to be engrossed and read a third time.

37, House bill to extend the terms of commissioners of accounts and to authorize them to complete such accounts as are now pending for settlement, and return them to their respective circuits, was taken up and read the first time.

214, Senate bill to amend and re-enact section 2500 of the Code of Virginia, edition of 1887, in reference to when and where bills are admitted to record, as amended by an act approved February 28, 1896, entitled "an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code as amended and re-enacted by an act approved February 20, 1900, entitled an act to amend and re-enact section 2501 of the Code in relation to certificates of acknowledgment," was taken up and read the first time.

39, Senate bill prescribing and defining the right to an attorney in certain cases, was taken up and read the first time.

193, Senate bill to regulate the sale of flour, meal or shipwreck, was taken up and read the first time.

26, House bill to amend and re-enact section 847 of the Code of Virginia of 1887, and so much of an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 849 and 850, and to repeal section 839 of the Code," approved November 31, 1903, as relates to said section 847 of the Code, was taken up, read the third time, and passed, with its title, by the following yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Chapman, Cromwell, Gunter, Harman, A. C., Harman, J. N., Hutcheson, Machen, McIlwaine, Rison, Sadler, Shackelford, Tavenner, Turner, Wallace—21.

NAYS—None.

No. 46, House bill to provide for the collection of all records and other materials, showing the names, number and character of the officers and soldiers furnished by Virginia and navy of the Confederate States of America; and to the appointment and compensation of a secretary of Virginia records, and for the other expenses incidental to the work formed, and to appropriate the sum of \$3,000 therefor, read the third time, and passed, with its title, by the vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutch Mann, Massie, McIlwaine, Rison, Sadler, Sale, Shackelford, Wallace and Wickham—23.

NAYS—None.

Mr. McILWAINE moved to reconsider the vote by which the bill was passed, which was rejected.

No. 139, Senate bill making an appropriation for the Virginia State Horticultural Society, was taken up the third time, and passed, with its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Hutch Mann, Massie, McIlwaine, Rison, Sadler, Sale, Shackelford, Tavenner and Wallace—23.

NAYS—None.

On motion of Mr. SADLER, the Senate adjourned until the next day at 12 o'clock.

WEDNESDAY, MARCH 2, 1904.

Intendant-Governor JOSEPH E. WILLARD in the chair.

Prayer by Rev. John Moncure.

Journal of yesterday read by the Clerk.

Communication from the House of Delegates, by their Clerk,  
read as follows:

*In the House of Delegates, March 1, 1904.*

The House of Delegates has passed Senate bill entitled an act to amend and re-enact an act entitled an act to authorize the Governor to grant conditional pardon to persons confined in the penitentiary on the recommendation of the board of directors of said institution, passed March 3, 1898, as amended by an act approved February 10, 1903, as amended by an act approved May 1, 1903, No. 68.

McILWAIN, from the Committee for Courts of Justice, reported, without amendment,

House bill to repeal chapter 817 of the Acts of the General Assembly of 1897-'98, approved March 3, 1898; chapter 298 of the Acts of the General Assembly of the extra session of 1901, approved January 16, 1901; chapter 4 of the Acts of the General Assembly of 1895-'96, approved December 14, 1895; chapter 299 of the Acts of the General Assembly of 1895-'96, approved February 12, 1896; chapter 405 of the Acts of the General Assembly of 1901-'02, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-'98, approved March 3, 1898.

from the same committee, reported, without amendment,  
House bill to repeal sections 1106, 1107, 1108, 1109, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1121, 1122, and 1123; section 1124, as amended by an act approved February 13, 1890; sections 1125, 1126, 1127, 1128, 1129, 1131, 1132, 1133, and 1134; section 1135, as amended by an act approved January 9, 1896; sections 1136, 1137, 1138, 1139, 1141, 1142, 1143 and 1144; section 1145, as amended by an act approved February 20, 1892, and by an act approved January 9, 1906, and by an act approved April 2, 1902; sections 1146 and 1148, as amended by an act approved February 17, 1902; sections 1149, 1150, 1151, 1152, and 1153 of chapter 47 of the Acts of Virginia.

from the same committee, reported, without amendments,  
House bill to repeal chapter 630 of the Acts of the Gen-

eral Assembly of 1893-'4, approved March 5, 1894; chapter 28, 1888; chapter 383 of the Acts of the General Assembly of 1888, approved March 2, 1888; chapter 450 of the Acts of the General Assembly of 1887-'8, approved March 6, 1888; chapter 167 of the Acts of the General Assembly of 1889-'90, approved March 3, 1890; sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 52 of the Acts of the General Assembly of 1893-'4, approved January 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-'4, approved March 5, 1894; chapter 181 of the Acts of the General Assembly of 1895-'6, approved January 1, 1896; chapter 181 of the Acts of the General Assembly of 1896-'7, approved February 1, 1898, as amended by an act approved November 24, 1899, and by an act approved March 13, 1903; chapter 312 of the Acts of the General Assembly of 1899-1900, approved February 9, 1900, as amended by an act approved February 16, 1901; chapter 328 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 64 of the Acts of the General Assembly of 1899-1900, approved January 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-'2, approved April 2, 1902; section 438 of the Acts of the General Assembly of 1893-'4, approved February 27, 1894; chapter 346 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 966 of the Acts of the General Assembly of 1899-1900, approved March 7, 1900.

Mr. GUNTER, from the Committee on General Laws, without amendments,

No. 137, Senate bill, to prohibit burying dead bodies within two hundred feet of any lake, pond, or reservoir connected with the water supply of any city or town of this State.

He, from the same committee, reported, with amendments,

No. 199, Senate bill to amend and re-enact section 438 of the Code of Virginia as amended and re-enacted by an act of the General Assembly of 1901-'2, approved April 2, 1902.

And he, from the same committee, reported without amendments,

No. 104, House bill to prohibit the establishment,

enance of small-pox hospitals or pest houses within fifty yards of street, public road, public park or public cemetery in any town, or county of the Commonwealth, or to hereafter establish such hospital or pest house within one hundred and fifty yards of public road, public park, or cemetery, in any county of the Commonwealth.

OPIE, from the Committee on County, City and Town Organization, reported, with a substitute for bill and title;

75, House bill for working and keeping in repair the public roads and bridges in the county of Appomattox.

BRYANT, from the Special Joint Committee on Special, Private and Local Legislation, respectfully reports that object of

234, Senate bill to amend section 1 of an act of the General Assembly of Virginia, providing for the election of two commissioners of the revenue for the county of Nottoway.

cannot be reached by General Laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

from the same committee, also reports that the objects of

231, Senate bill to repeal the chapter 188 of acts of General Assembly of Virginia, and also chapter 4 of the acts of the General Assembly, approved December 17, 1901, in relation to working and keeping in repair the public roads of Tazewell county.

cannot be reached by General Laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

from the same committee, also reports that the objects of

201, Senate bill to authorize the town of Onancock in the county of Accomac, to borrow money.

cannot be reached by General Laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

from the same committee, also reports that object of

122, Senate bill for the issue of \$100,000 of bonds by the city of Newport News for the construction, erection and equipment of electric light plant for the supplying of lights to the said city also for commercial lighting.

cannot be reached by General Laws.

The bill was taken up and referred to the Committee on County, City and Town Organization.

from the same committee, also reports that the object of

210, Senate bill to amend and re-enact an act entitled "an

act to amend the road law of Prince George county, ap 3rd, 1898.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that objection is made to

No. 225, Senate bill to amend and re-enact section 16 of the charter of the town of Bedford, Va. to extend its limits and change the name to Bedford County, Va. March 3, 1890.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the objection is made to

No. 182, Senate bill to submit to the qualified voters of Buena Vista, Virginia, at a special election to be held on the question of the establishment of a dispensary for the sale of intoxicating liquors therein.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on Banks and Currency.

He, from the same committee, also reports that the objection is made to

No. 206, Senate bill to amend and re-enact an act to protect hogs running at large in Page county.

Can be reached by General Laws, and in conflict with section 16 of section 63 of the Constitution.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the objection is made to

No. 207, Senate bill to amend and re-enact section 132 of the charter of the city of Alexandria, Va. entitled an act to provide a new charter for the city of Alexandria, Va. passed March 5, 1900; and to repeal sections 132 and 133 of the charter of the city of Alexandria, Va.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the objection is made to

No. 223, Senate bill to amend the charter of the town of Crosse, Mecklenburg county, Va.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

Mr. HUTCHESON moved that the Committee on Cities and Towns be discharged from further consideration of the bill, which was agreed to, by the following vote—yeas, 27; nays, 1.

WEDNESDAY, MARCH 2, 1904.

ant-Governor JOSEPH E. WILLARD in the chair.

by Rev. John Moncure.

of yesterday read by the Clerk.

unication from the House of Delegates, by their Clerk,  
as follows:

*In the House of Delegates, March 1, 1904.*

use of Delegates has passed Senate bill entitled an act to  
l re-enact an act entitled an act to authorize the Governor  
conditional pardon to persons confined in the penitentiary  
mmendation of the board of directors of said institution,  
March 3, 1898, as amended by an act approved February  
s amended by an act approved May 1, 1903, No. 68.

ILWAINE, from the Committee for Courts of Justice, re-  
thout amendment,

House bill to repeal chapter 817 of the Acts of the General  
of 1897-'98, approved March 3, 1898; chapter 298 of the  
e General Assembly of the extra session of 1901, approved  
16, 1901; chapter 4 of the Acts of the General Assembly  
approved December 14, 1895; chapter 299 of the Acts of  
al Assembly of 1895-'6, approved February 12, 1896;  
5 of the Acts of the General Assembly of 1901-'2, ap-  
rch 29, 1902, and chapter 688 of the Acts of the General  
of 1897-'8, approved March 3, 1898.

m the same committee, reported, without amendment,

House bill to repeal sections 1106, 1107, 1108, 1109,  
1, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119,  
1, 1122, and 1123; section 1124, as amended by an act  
February 13, 1890; sections 1125, 1126, 1127, 1128, 1129,  
1, 1132, 1133, and 1134; section 1135, as amend by an  
ed January 9, 1896; sections 1136, 1137, 1138, 1139,  
1, 1142, 1143 and 1144; section 1145, as amended by an  
ed February 20, 1892, and by an act approved January  
and by an act approved April 2, 1902; sections 1146 and  
ion 1148, as amended by an act approved February 17,  
ions 1149, 1150, 1151, 1152, and 1153 of chapter 47 of  
f Virginia.

from the same committee, reported, without amendments,  
House bill to repeal chapter 630 of the Acts of the Gen-



special elections held under sections 581 and 585 of Virginia, as heretofore amended, and to prohibit the payment of a capitation tax of voters in such elections by another than himself or the loan of money for such payment, and the penalty therefor.

He, from the same committee, reported, with amendment, a bill with recommendation that it do not pass,

No. 44, Senate bill to provide for primary elections.

The bill was taken up, and on motion of Mr. MACHESON, the special and continuing order of the day for Friday, March 1, at 12:30 o'clock P. M.

And he, from the same committee, reports with recommendation that it do not pass,

No. 69, Senate bill to amend and re-enact section 64 and to repeal sections 63 and 66 and to amend and re-enact sections of chapter 8 of the Code of Virginia as amended and approved December 8, 1903, in relation to appointments and clerks of election.

Mr. WICKHAM, from Committee on Finance and Banking, without amendment,

No. 190, Senate bill to amend and re-enact section 1 of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 75 to 147, inclusive, of an act approved December 8, 1903, and to provide how social clubs chartered since 1903, shall obtain license to sell ardent spirits, et cetera."

He also reported from same committee, with amendment,

No. 216, Senate bill to provide for the establishment of a dispensary for the sale of intoxicating liquors in the town of Pittsylvania county, Virginia, and to prohibit the sale of intoxicating liquors therein, except as herein provided.

He also reported from same committee, without amendment,

No. 98, House bill act concerning liquor dealers depriving them of licenses by a local option election or the establishment of a dispensary.

He, also from same committee,

No. 40, House bill to provide for official receipts for the sale of liquor.

He also reported from same committee, without amendment,

No. 235, Senate bill to provide offices and rooms for the department of education and public instruction, for the Court of Appeals and to appropriate sum of \$1,440, thereof as may be necessary for the payment of the rent and to prescribe the method of such payment.

Mr. PHILEGAR moved that the rules be suspended and

ce of small-pox hospitals or pest houses within fifty yards  
street, public road, public park or public cemetery in any  
or county of the Commonwealth, or to hereafter establish  
hospital or pest house within one hundred and fifty yards  
public road, public park, or cemetery, in any county of the  
ealth.

RE, from the Committee on County, City and Town Or-  
, reported, with a substitute for bill and title;

House bill for working and keeping in repair the public  
bridges in the county of Appomattox.

FRANT, from the Special Joint Committee on Special, Pri-  
occal Legislation, respectfully reports that object of  
, Senate bill to amend section 1 of an act of the General  
of Virginia, providing for the election of two commis-  
the revenue for the county of Nottoway.

be reached by General Laws.

was taken up and referred to the Committee on County,  
Town Organization.

n the same committee, also reports that the objects of  
, Senate bill to repeal the chapter 188 of acts of General  
of Virginia, and also chapter 4 of the acts of the General  
approved December 17, 1901, in relation to working and  
repair the public roads of Tazewell county.

be reached by General Laws.

was taken up and referred to the Committee on County,  
Town Organization.

n the same committee, also reports that the objects of  
, Senate bill to authorize the town of Onancock in the  
Accomac, to borrow money.

be reached by General Laws.

was taken up and referred to the Committee on County,  
Town Organization.

n the same committee, also reports that object of  
Senate bill for the issue of \$100,000 of bonds by the city  
t News for the construction, erection and equipment of  
light plant for the supplying of lights to the said city  
r commercial lighting.

be reached by General Laws.

was taken up and referred to the Committee on County,  
Town Organization.

n the same committee, also reports that the object of  
, Senate bill to amend and re-enact an act entitled "an

the night time any barn, stable, shed, or other build live stock, in event such live stock be burned.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TURNER, by leave, presented

No. 244, Senate bill to amend and re-enact section approved March 2, 1898, entitled an act to authorize supervisors of Floyd county to let to contract the property of that county and levy tax to keep the same in repair under section 3 of said act as heretofore amended.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. MACHEN presented the following resolution:

"Resolved by the Senate of Virginia, That it is the sense of the Senate that no bills be introduced in the Senate on any day, March 5, 1904," which was adopted.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or carrying oysters therein, or for the purpose of catching fish in any net, purse net, fyke or weir, in any of the waters of this State for the purpose of taking or catching any fish in the State for the purpose of converting the same into fertilizer, and to provide a penalty for the violation of the same. The bill being read, the following order of the day, the clock having arrived, was taken up and passed, with the following vote—yeas, 23; nays, 5.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Greear, Gunter, Harman, J. N., Hobbs, Hutcheson, Machen, McIlwaine, Opie, Phlegan, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—23.

NAYS—Messrs. Campbell, Cromwell, Fulton, Keezell and Mason—5.

Mr. CHAPMAN stated that he was paired with Mr. Turner. If Mr. Turner were present he would vote aye and I would vote no.

Mr. BYARS, by leave, presented

No. 245, Senate bill to provide for the appointment of a commission to investigate and report upon the advisability of establishing a State Sanitarium for indigent consumptives.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 84, Senate bill to amend and re-enact section 5

rs who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Ford, Greear, Gun-  
an, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie,  
Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford,  
Tavener, Turner, Walker and Wallace—27.

None.

HUTCHESON moved to dispense with the reading of the bill  
ed by section 50 of the Constitution, and the Senate being  
that an emergency exists, it was agreed to by the following  
as, 29; nays, 0.

rs who voted are:

Messrs. Barksdale, Byars, Campbell, Chapman, Cromwell, Ford,  
Greear, Gunter, Harman, J. N., Hobbs, Holt, Hutcheson, Keezell,  
Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears,  
rd, St. Clair, Tavener, Turner, Walker and Wallace—29.

None.

ill was then ordered to be engrossed; and being forthwith  
l, on his further motion, was passed with its title by the  
; vote—yeas, 29; nays, 0.

rs who voted are:

Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford,  
Greear, Gunter, Harman, J. N., Hobbs, Hutcheson, Keezell, Machen,  
ssie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford,  
Tavener, Turner, Walker and Wallace—29.

None.

e, from the same committee, also reports that the object of  
70, Senate bill to authorize the judge of the Circuit Court  
land county to appoint a board of county road commis-  
or Goochland county, and to define their duties in connec-  
a working the public roads of said county, and to increase  
ty road levy necessary thereof.

t be reached by General Laws.

ill was taken up and referred to the Committee on County,  
l Town Organization.

ANN, from the Committee on Privileges and Elections, re-  
with amendments,

13, Senate bill to prescribe the qualifications of voters in

special elections held under sections 581 and 585 of the Code of Virginia, as heretofore amended, and to prohibit the payment of a capitation tax of voters in such elections by another than the voter himself or the loan of money for such payment, and to provide a penalty therefor.

He, from the same committee, reported, with amendment, with recommendation that it do not pass,

No. 44, Senate bill to provide for primary elections.

The bill was taken up, and on motion of Mr. MACHEN, made a special and continuing order of the day for Friday, March 4, at 12:30 o'clock P. M.

And he, from the same committee, reports with recommendation that it do not pass,

No. 69, Senate bill to amend and re-enact section 64 of an act to repeal sections 63 and 66 and to amend and re-enact certain sections of chapter 8 of the Code of Virginia as amended by act approved December 8, 1903, in relation to appointment of judges and clerks of election.

Mr. WICKHAM, from Committee on Finance and Banks, reports without amendment,

No. 190, Senate bill to amend and re-enact section 142 of an act of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 1903, and to provide how social clubs chartered since April 1903, shall obtain license to sell ardent spirits, et cetera.

He also reported from same committee, with amendment,

No. 216, Senate bill to provide for the establishing of a dispensary for the sale of intoxicating liquors in the town of Charlottesville, Pittsylvania county, Virginia, and to prohibit the sale of intoxicating liquors therein, except as herein provided.

He also reported from same committee, without amendment,

No. 98, House bill act concerning liquor dealers deprived of licenses by a local option election or the establishment of a dispensary.

He, also from same committee,

No. 40, House bill to provide for official receipts for fines.

He also reported from same committee, without amendment,

No. 235, Senate bill to provide offices and rooms for use of the department of education and public instruction, for the Supreme Court of Appeals and to appropriate sum of \$1,440, or so much thereof as may be necessary for the payment of the rental thereof and to prescribe the method of such payment.

Mr. PHILEGAR moved that the rules be suspended and the bill

ors who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Machen, Mann, McIlwain, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Wallackham—24.

None.

7, House bill to amend and re-enact sections 420 and 421 to amend and re-enact title 12 of the Code of Virginia, in relation to the public debt, approved December 17, 1903, was taken up, read the third time.

17, House bill to amend and re-enact sections 2434 and 2435 of the Code of Virginia, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 24; nays, 0.

ors who voted are:

Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Machen, Mann, McIlwain, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Wallackham—24.

None.

106, House bill to amend and re-enact section 3916 of the Code of Virginia, as amended and re-enacted by an act approved December 24, 1903, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 27; nays, 0.

ors who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Mann, McIlwain, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Wallace and Wickham—27.

None.

101, House bill in relation to the commitment of minors to the Children's Association of Virginia, their custody therein, the compensation for, and expenses of, such custody, and their discharge, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 24; nays, 0.

the night time any barn, stable, shed, or other building containing live stock, in event such live stock be burned.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. TURNER, by leave, presented

No. 244, Senate bill to amend and re-enact section 2 of an act approved March 2, 1898, entitled an act to authorize the supervisors of Floyd county to let to contract the public works of that county and levy tax to keep the same in repair and to amend section 3 of said act as heretofore amended.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. MACHEN presented the following resolution:

"Resolved by the Senate of Virginia, That it is the sense of the Senate that no bills be introduced in the Senate on and after the first day of March, 1904," which was adopted.

No. 62, Senate bill to prohibit any person not a resident of this State becoming a stockholder in any corporation chartered under the laws of this State, for the purpose of taking, catching or carrying oysters therein, or for the purpose of catching fish with hook and line, net, purse net, fyke or weir, in any of the waters of this State for the purpose of taking or catching any fish in the waters of this State for the purpose of converting the same into oil, manure or fertilizer, and to provide a penalty for the violation of this act. On the day following the special and continuing order of the day, the hour of 1 o'clock having arrived, was taken up and passed, with its amendments, by the following vote—yeas, 23; nays, 5.

Senators who voted are:

YEAS—Messrs. Barksdale, Byars, Greear, Gunter, Harman, A. C., J. N., Hobbs, Hutcheson, Machen, McIlwaine, Ople, Phlegar, R. H., Risson, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—23.

NAYS—Messrs. Campbell, Cromwell, Fulton, Keezell and Massie—5.

Mr. CHAPMAN stated that he was paired with Mr. MANLY. If Mr. MANLY were present he would vote aye and I would vote no.

Mr. BYARS, by leave, presented

No. 245, Senate bill to provide for the appointment of a commission to investigate and report upon the advisability of establishing a State Sanitarium for indigent consumptives.

On his motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

No. 84, Senate bill to amend and re-enact section 50 of an act

a of 1887, as amended and re-enacted by an act entitled amend and re-enact section 50 of chapter 7 of the Code of in relation to the apportionment of representation in approved February 15, 1892, with committee amending the special and continuing order of the day, the hour clock having arrived, was taken up, read the second time, amendments adopted, ordered to be engrossed and read ae.

House bill to provide for the extension of the corporate cities and towns, being the special and continuing order the hour of 12:30 o'clock having arrived, was taken up. DEERSON moved to dispense with the reading of the bill, l by section 50 of the Constitution, and the Senate being at an emergency exists, it was agreed to by the following y, 24; nays, 0.

who voted are:

ers. Anderson, Barksdale, Campbell, Chapman, Ford, Fulton, man, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, lwaïne, Opie, Phlegar, Revercomb, Rison, Sadler, St. Clair, erner and Wickham—24.

ae.

ENNER offered an amendment, which was rejected.

ERSON offered an amendment, which was adopted.

LER offered an amendment.

J. HARMAN, by leave, presented

Senate bill to extend the powers and duties of the Board s.

otion, the bill being partially read, it was referred to the on Fish and Game.

ron, by leave (by request), presented

Senate bill to amend and re-enact sub-division "b" of an act approved December 21, 1901, entitled "an act to the town of Fries, in Grayson county, Virginia, as an act approved March 29, 1902.

otion, the bill being partially read, it was referred to the nittee on Special, Private and Local Legislation.

KHAM moved that at this afternoon session only uncon- sers be considered, which was agreed to.

of 2 o'clock having arrived, the chair was vacated until P. M.





MANN, by leave, presented

251, a bill to repeal an act of the General Assembly of Virginia entitled "an act to repeal an act entitled 'an act to impose a tax on corporations chartered and organized as social clubs desiring to sell liquors at their club houses or other places of meeting, to give or given away by the members of the corporation for the use of the government and public free schools, and to pay the interest on the public debt, and to prescribe the mode of paying the same, and penalty for its non-payment: to define the privileges of such clubs, and to prescribe in what cases their charters may be amended,'" approved February 23, 1898, and to amend and re-enact section 144 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by section 189 of the Constitution," approved April 16, 1903, and to repeal the charters of all said clubs granted by the Corporation Commission since April 16, 1903, approved December 31, 1903.

On this motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

CHAPMAN, by leave (by request), presented

252, a bill to repeal section 1897 of the Code of Virginia, and to amend and re-enact section 1898 of the Code of Virginia, as amended and re-enacted by an act approved February 5, 1890, as amended by an act approved March 7, 1894, as amended by an act approved February 23, 1898, as amended by an act approved January 2, 1898.

On this motion, the bill being partially read, it was referred to the Committee on Agriculture, Mining and Manufacturing.

37, House bill to extend the terms of commissioners of accounts and to authorize them to complete such accounts as are now pending for settlement, and return them to their respective circuits, was taken up and read the second time.

71, Senate bill to amend and re-enact an act entitled "an act to regulate the probate of wills, the appointment of appraisers of estates of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of circuit courts," approved May 15, 1903, was taken up and read the second time.

SHANDS offered an amendment, which was rejected.

The bill was then ordered to be engrossed and read a third time.

82, Senate bill to amend and re-enact section 2533 of the Code of Virginia, edition of 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December

McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Wallace and Wickham—25.

NAYS—None.

Mr. McILWAINE moved to amend the title, which was agreed to.

Mr. BYARS, by leave, presented

No. 248, a bill to validate and legalize the issue of certain bonds of Bristol, Virginia, of date June 1, 1903, and known as Railroad and Water Works Bonds.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. MANN, by leave, presented

No. 249, a bill to amend and re-enact section 2939 of the Code of Virginia, in relation to jurisdiction of justices of the peace, as amended by an act approved December 12, 1903, which is chapter 436 of the Acts of the special session of the General Assembly, 1902-3-4.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 130, House bill to provide for the removal of the statue of Washington from the Capitol to the Library Building, or to some other place.

Mr. BARKSDALE moved that the Committee on General Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Mendenhall, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Shackelford, St. Clair, Tavenner and Wallace—27.

NAYS—None.

By unanimous consent the bill was taken up and referred to the Committee on Finance and Banks.

Mr. MANN, by leave, presented

No. 250, a bill to amend and re-enact section 1230 of the Code of Virginia, as amended by act approved February 12, 1903, providing for the appointment of police agents and making persons conservators of the peace.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

ANN, by leave, presented

1, a bill to repeal an act of the General Assembly of Virginia entitled "an act to repeal an act entitled 'an act to impose a tax on corporations chartered and organized as social clubs desiring to sell liquors at their club houses or other places of meeting, to be given away by the members of the corporation for the benefit of the government and public free schools, and to pay the interest on the public debt, and to prescribe the mode of paying the same and penalty for its non-payment: to define the privileges of such clubs, and to prescribe in what cases their charters may be amended'" approved February 23, 1898, and to amend and re-enact section 4 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as provided by section 189 of the Constitution," approved April 16, 1903, and to repeal the charters of all said clubs granted by the Corporation Commission since April 16, 1903, approved December 1, 1903.

On motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

MAPMAN, by leave (by request), presented

2, a bill to repeal section 1897 of the Code of Virginia and to amend and re-enact section 1898 of the Code of Virginia, as amended and re-enacted by an act approved February 5, 1890, as amended by an act approved March 7, 1894, as amended by an act approved February 23, 1898, as amended by an act approved January 1, 1898.

On motion, the bill being partially read, it was referred to the Committee on Agriculture, Mining and Manufacturing.

3, House bill to extend the terms of commissioners of accounts, and to authorize them to complete such accounts as are now pending for settlement, and return them to their respective circuits, was taken up and read the second time.

4, Senate bill to amend and re-enact an act entitled "an act to amend the probate of wills, the appointment of appraisers of the estates of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of the courts," approved May 15, 1903, was taken up and read the second time.

5, LANDS offered an amendment, which was rejected.

6, bill was then ordered to be engrossed and read a third time.

7, Senate bill to amend and re-enact section 2533 of the Code of Virginia, edition of 1887, in reference to the jurisdiction of the courts in the probate of wills, as amended by an act approved December

*In House of Delegates, Ma*

The House of Delegates has passed Senate bill to amend and re-enact an act entitled an act to provide for the city of Bristol, No. 8.

They have passed House bills entitled an act applying public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending respectively on the 28th day of February, 1905, and the 28th day of February, 1906.

An act to amend and re-enact section 3609 of the Code of Virginia, in relation to the lien of an execution and garnishment thereon, No. 93.

An act to provide for the expenses of removing, and maintaining insane persons; how paid, No. 86.

An act to amend and re-enact section 3287 of the Code of Virginia, as amended and re-enacted by an act approved February 23, 1892, in relation to when judgment entered in office to enforce, No. 120.

An act to prohibit the taking of oysters in the Chesapeake Bay with dredges or implements, other than ordinary oyster dredges, for a period of two years from the date of ratification of the concurrent legislation enacted by the Legislature of Maryland, No. 124.

An act to exempt persons conducting temporary religious houses, horse-lots and confectioneries at religious fairs from license tax, No. 135.

An act to amend and re-enact section 637 of the Code of Virginia, as amended and re-enacted by an act entitled "An act to amend and re-enact section 637 of the Code of Virginia, relating to clerks delivering to treasurers copy of list of delinquent taxes, and treasurers to post the same, with notice of sale of land, levies, etc., attached," approved February 23, 1894.

An act to amend and re-enact sections 607 and 608 of the Code of Virginia, in relation to lists of property, etc., delinquent in payment of taxes, No. 137.

In which they request the concurrence of the Senate.

No. 127, House bill appropriating the public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending respectively on the 28th day of February, 1905, and the 28th day of February, 1906, was taken up and referred to the committee on Finance and Banks.

of 1887, as amended and re-enacted by an act entitled amend and re-enact section 50 of chapter 7 of the Code of in relation to the apportionment of representation in approved February 15, 1892, with committee amending the special and continuing order of the day, the hour o'clock having arrived, was taken up, read the second time, amendments adopted, ordered to be engrossed and read e.

House bill to provide for the extension of the corporate cities and towns, being the special and continuing order the hour of 12:30 o'clock having arrived, was taken up. PERSON moved to dispense with the reading of the bill, by section 50 of the Constitution, and the Senate being at an emergency exists, it was agreed to by the following, 24; nays, 0.

who voted are:

rs. Anderson, Barksdale, Campbell, Chapman, Ford, Fulton, man, A. C., Harman, J. N., Holt, Hutcheson, Keezell, Machen, waine, Ople, Phlegar, Revercomb, Rison, Sadler, St. Clair, rner and Wickham—24.

e.

NNER offered an amendment, which was rejected.

PERSON offered an amendment, which was adopted.

ER offered an amendment.

. HARMAN, by leave, presented

Senate bill to extend the powers and duties of the Board

tion, the bill being partially read, it was referred to the on Fish and Game.

ON, by leave (by request), presented

Senate bill to amend and re-enact sub-division "b" of an act approved December 21, 1901, entitled "an act to the town of Fries, in Grayson county, Virginia, as an act approved March 29, 1902.

tion, the bill being partially read, it was referred to the ittee on Special, Private and Local Legislation.

KHAM moved that at this afternoon session only uncon- rs be considered, which was agreed to.

of 2 o'clock having arrived, the chair was vacated until P. M.

authorize parties planting oysters on ground rented to erect piers, docks or watch houses on the same.

He, from the same committee, reported, without amendment.

No. 203, Senate bill to protect pheasants or grouse of Accomac and Northampton.

He, from the same committee, reported, without amendment.

No. 246, Senate bill to extend the powers and duties of Fisheries.

He, from the same committee, reported, with amendments.

No. 5, House bill to amend and re-enact subsection 2070a, and section 2079 of the Code, as amended approved May 14, 1903, entitled "an act to amend and alter 95 of the Code of Virginia, in relation to the certain useful birds and animals, and to prevent unlawful and to repeal certain sections of the Code," etc.

He, from the same committee, reported, with amendments.

No. 23, House bill to amend and re-enact sections of an act entitled an act to amend and re-enact section 1 approved February 5, 1900, entitled an act to authorize the State Board of Fisheries to employ a surveyor and making an appropriation for compensation of approved March 28, 1902.

He, from the same committee, reported, without amendment.

No. 25, House bill to have plats of oyster planting ground "abandoned" under certain conditions, and renting of such ground.

He, from the same committee, reported, with amendments.

No. 29, House bill for the protection of pheasants and birds imported for propagation.

Mr. WICKHAM, from Committee on Finance and Taxation, with amendment.

No. 130, House bill to provide for the removal of statue of Washington from the Capitol to the Library to some other place.

He, also, reported from same committee, with a substitute.

No. 162, Senate bill to amend and re-enact section 27 of the Code of Virginia, entitled "collection of oysters."

He, also, reported from same committee, with amendments, that it do not pass,

No. 97, House bill to prohibit the selling or furnishing of spirituous or malt liquors or intoxicating liquors to minor students.

He, also, reported from same committee, with amendments, that it do not pass,

96, House bill to amend and re-enact section 3804 of the Code of Virginia, as amended by an act approved March 5, 1900.

MACHEN, by leave, presented

254, Senate bill to authorize and permit the creation of estates by devise or deed of gift to which the estates of curtesy and dower shall not attach.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

WALKER, by leave, presented

255, Senate bill to secure the better enforcement of the local laws of the State, and to define the jurisdiction of the courts in the counties of this State as to water courses lying between counties and opposite counties or magisterial districts in which local oppression prevails.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

WALKER moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 23; nays, 0.

Members who voted are:

Yeas—Messrs. Anderson, Barksdale, Byars, Campbell, Ford, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, McIlwaine, Phlegar, Rison, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—23.

Nays—None.

By unanimous consent, Mr. WALKER moved to dispense with the reading and reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency existed it was agreed to by the following vote—yeas, 26; nays, 0.

Members who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—26.

Nays—None.

The bill was then ordered to be engrossed, and being forthwith read, on his further motion, was passed, with its title, by the following vote—yeas, 26; nays, 0.



Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Camp, Cromwell, Ford, Fulton, Gunter, Harman, A. C., Hobbs, Machen, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, St. C. Walker, Wallace and Wickham—26.

NAYS—None.

Mr. FULTON, by leave, presented

No. 256, Senate bill to allow the town of Front Royal said town, the inhabitants thereof and the inhabitants of said town, with light, and to issue bonds of effect said purpose, and to hold an election therefor.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. McILWAINE, from the Committee for Courts and Ports with a substitute.

No. 74, Senate bill to give non-resident laboring householders the right to plead in any proceedings in before the justices of the peace of this State the exemption by section 3652 of the Code of Virginia.

He, from the same committee, reported, without amendment.

No. 208, Senate bill to amend and re-enact section 2702 of the Code of Virginia of 1887, in relation to resignation by his trust.

He, from the same committee, reported, without amendment.

No. 209, Senate bill to amend and re-enact section 2703 of the Code of Virginia of 1887, in relation to proceedings by distributees to compel creditors to show cause against the estate, their liability to refund in such case.

He, from the same committee, reported, without amendment.

No. 211, Senate bill to amend and re-enact sections 2702 and 2703 of the Code of Virginia of 1887, in relation to confirmation of fiduciary accounts, and the investment, distribution of money in hands of fiduciary.

He, from the same committee, reported, without amendment.

No. 222, Senate bill to amend and re-enact section 3916 of the Code of Virginia of 1887, relating to chain-gangs and work in them, as amended and re-enacted by an act of the General Assembly, December 24, 1903, entitled an act to amend and re-enact sections 3916, 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia of 1887.

And he, from the same committee, reported without amendment.

No. 238, Senate bill to make the 5th day of April, the day selected for the launching of the battleship "Mississippi," a legal holiday in this State.

who voted are:

Mrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Machen, McIlrecomb, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Wickham—22.

Mann—1.

, Senate bill to provide for the payment of pensioners under the pension act of April 2, 1902, whose claims were not applied for in the office of the Auditor of Public Accounts before September 1, 1903, was taken up, read the third time, and passed, by the following vote—yeas, 25; nays, 0.

who voted are:

Mrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner and Wallace—25.

ne.

, Senate bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved March 15, 1904, was taken up, read the third time and passed, by the following vote—yeas, 24; nays, 0.

who voted are:

Mrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, McIlwaine, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Walckham—24.

ne.

, Senate bill to amend and re-enact sections 2599, 2600, 2601 and 2602, as amended by an act approved January 2, 1904, for the appointment of guardians by the judges of Circuit and Corporation Courts, was taken up, read the third time, and passed, by the following vote—yeas, 25; nays, 0.

who voted are:

Mrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Machen, Mann, Massie,

Opie, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, T and Wallace—24.

**NAYS—None.**

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed forthwith engrossed, on his further motion, was passed by the following vote—yeas, 24; nays, 0.

Senators who voted are:

**YEAS—Messrs.** Anderson, Barksdale, Bryant, Byars, Can Cromwell, Gunter, Harman, A. C., Hobbs, Holt, Keezell, McIlwaine, Opie, Rison, Sadler, Sale, Sears, Shackelford, T and Wallace—24.

**NAYS—None.**

Mr. MACHEN moved to reconsider the vote by which passed, which was rejected.

Mr. OPIE, from the Committee on County, City ganization, reported, without amendment,

No. 53, House bill "to amend and re-enact section approved March 5, 1894, entitled an act to amend the town of Gladeville, in Wise county."

He, from the same committee, reported, without

No. 72, House bill to amend and re-enact an act 21, 1836, entitled "an act to incorporate the town of county of Botetourt (now in Roanoke county) and al tory thereof.

He, from the same committee, reported, without

No. 109, Senate bill to amend, revise and re-ena 26 and 28 of the charter of the town of Pocahontas county, Virginia.

He, from the same committee, reported, without

No. 115, Senate bill to authorize and empower the town of Pocahontas, Virginia, to sell a strip of eig east side of Centre street, from St. Clair street to v as Philadelphia Row, in order to straighten said Cer make same of uniform width, and to provide that th from same shall go to the benefit of the public school

He, from the same committee, reported, without

No. 131, Senate bill to incorporate and provide a town of Damascus, Virginia.

He, from the same committee, reported, without

NN, by leave, presented

, a bill to repeal an act of the General Assembly of Virginia entitled "an act to repeal an act entitled 'an act to impose a tax on corporations chartered and organized as social clubs desiring to meet at their club houses or other places of meeting, to be given away by the members of the corporation for the use of the government and public free schools, and to pay the interest on the public debt, and to prescribe the mode of paying the same and penalty for its non-payment: to define the privileges of such clubs, and to prescribe in what cases their charters may be amended," approved February 23, 1898, and to amend and re-enact section 4 of an act entitled "an act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as provided by section 189 of the Constitution," approved April 16, 1903, to repeal the charters of all said clubs granted by the Corporation Commission since April 16, 1903, approved December 1, 1903.

motion, the bill being partially read, it was referred to the Committee on Finance and Banks.

APMAN, by leave (by request), presented

2, a bill to repeal section 1897 of the Code of Virginia, to amend and re-enact section 1898 of the Code of Virginia, and to amend and re-enact by an act approved February 5, 1890, as amended by an act approved March 7, 1894, as amended by an act approved February 23, 1898, as amended by an act approved January 1, 1898.

motion, the bill being partially read, it was referred to the Committee on Agriculture, Mining and Manufacturing.

House bill to extend the terms of commissioners of accounts to authorize them to complete such accounts as are now pending for settlement, and return them to their respective circuits, was taken up and read the second time.

Senate bill to amend and re-enact an act entitled "an act to amend the probate of wills, the appointment of appraisers of the estates of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of the courts," approved May 15, 1903, was taken up and read the first time.

ANDS offered an amendment, which was rejected.

It was then ordered to be engrossed and read a third time.

Senate bill to amend and re-enact section 2533 of the Code of Virginia, edition of 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December

Senators who voted are :

**YEAS**—Messrs. Anderson, Barksdale, Chapman, Cromwell, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Manwaine, Ople, Phlegar, Rison, Sadler, Sears, St. Clair, Tavenner, Wickham—24.

**NAYS**—None.

He, from the same committee, reported, without amendment, Senate bill to amend and re-enact section 207, entitled an act to provide a new charter for the city of Norfolk, approved March 5, 1900, and to repeal sections 132 and 133.

He, from the same committee, reported, with the recommendation that it be referred to the Committee for Courts of Justice.

No. 50, House bill to allow the street mileage in the city of Chase City, county of Mecklenburg, Virginia, to be paid out of county public roads, and to receive its proportion of county road levy.

The report of the committee was adopted, and the bill was referred to the Committee for Courts of Justice.

He, from the same committee, reported, with a substitute.

No. 151, Senate bill to authorize the county of Norfolk to construct toll roads and toll bridges in said county, and to use the proceeds for that purpose.

He, from the same committee, reported, without amendment.

No. 228, Senate bill to prescribe the jurisdiction of the county supervisors in matters pertaining to county roads, toll roads, ferries and mills.

He, from the same committee, reported, without amendment.

No. 227, Senate bill to amend and re-enact sections 826, 831, 832, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1899.

He, from the same committee, reported, without amendment.

No. 226, Senate bill to amend and re-enact sections 826, 831, 832, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1899.

No. 12, House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell or exchange such liquor in said town, and to repeal all laws in conflict therewith.

this act so far as they apply to said town, on motion of Mr. CLAIR, by unanimous consent, was taken up.

ST. CLAIR moved to dispense with the reading of the bill, as ordered by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker and Wallace—24.

—None.

ST. CLAIR offered an amendment, which was adopted. On his further motion, the bill was then passed, with its title, by the following vote—yeas, 21; nays, 0.

Members who voted are:

—Messrs. Barksdale, Bryant, Campbell, Chapman, Gunter, Harman, Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Wallace—21.

—None.

ST. CLAIR moved to reconsider the vote by which the bill was passed, which was rejected.

On 84, Senate bill to amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the apportionment of representation in Congress, approved February 15, 1892, being the special and congressional order of the day, the hour of 12:30 o'clock having arrived, taken up, read the third time, and passed, with its title, by the following vote—yeas, 21; nays, 8.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromarman, A. C., Hobbs, Holt, Keezell, Mann, Massie, McIlwaine, Ople, Rison, Sale, Shackelford, St. Clair, Tavenner and Wickham—21.

—Messrs. Byars, Fulton, Gunter, Machen, Sadler, Sears, Walker and Wallace—8.

*In House of Delegates, Mar*

The House of Delegates has passed Senate bill e to amend and re-enact an act entitled an act to provide ter for the city of Bristol, No. 8.

They have passed House bills entitled an act ap public revenue for the period of five months, begin day of October, 1903, and ending the 29th day of Fe and for the two fiscal years ending respectively on th February, 1905, and the 28th day of February, 1906

An act to amend and re-enact section 3609 of the ginia, in relation to the lien of an execution and gar cess thereon, No. 93.

An act to provide for the expenses of removing, s maintaining insane persons; how paid, No. 86.

An act to amend and re-enact section 3287 of the ginia, as amended and re-enacted by an act approved 1892, in relation to when judgment entered in office to No. 120.

An act to prohibit the taking of oysters in the with dredges or implements, other than ordinary by a period of two years from the date of ratification concurrent legislation enacted by the Legislature of Maryland, No. 124.

An act to exempt persons conducting temporary e ing houses, horse-lots and confectioneries at religio from license tax, No. 135.

An act to amend and re-enact section 637 of the ginia, as amended and re-enacted by an act entitled "a and re-enact section 637 of the Code of Virginia, clerks delivering to treasurers copy of list of delinque treasurers to post the same, with notice of sale of l levies, etc., attached," approved February 23, 1894, N

An act to amend and re-enact sections 607 and 60 of Virginia, in relation to lists of property, etc., delin payment of taxes, No. 137.

In which they request the concurrence of the Senat

No. 127, House bill appropriating the public re period of five months, beginning the first day of Octo ending the 29th day of February, 1904, and for the t ending respectively on the 28th day of February, 28th day of February, 1906, was taken up and referri mittee on Finance and Banks.

93, House bill to amend and re-enact section 3609 of the Code of Virginia, in relation to the lien of an execution and garnishment process thereon, was taken up and referred to the Committee on Courts of Justice.

96, House bill to provide for the expenses of removing, supporting and maintaining insane persons; how paid, was taken up and referred to the Committee on Public Institutions and Education.

120, House bill to amend and re-enact section 3287 of the Code of Virginia, as amended and re-enacted by an act approved July 4, 1892, in relation to when judgment entered in office becomes final, was taken up and referred to the Committee on Courts of Justice.

124, House bill to prohibit the taking of oysters in the Potomac River with dredges or implements other than ordinary oyster dredges for a period of two years from the date of ratification of this concurrent legislation enacted by the Legislature of the State of Maryland, was taken up and referred to the Committee on Fish and Game.

135, House bill to exempt persons conducting temporary lodging houses, horse-lots and confectioneries at religious fairs from license tax, was taken up and referred to the Committee on Finance and Banks.

136, House bill to amend and re-enact section 637 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact section 637 of the Code of Virginia, in relation to delivering to treasurers copy of list of delinquent real estate; to post the same with notice of sale of lands for taxes, etc., attached," approved February 23, 1894, was taken up and referred to the Committee on Finance and Banks.

137, House bill to amend and re-enact sections 607 and 608 of the Code of Virginia, in relation to lists of property, etc., delinquent for taxes, was taken up and referred to the Committee on Finance and Banks.

WALKER, from the Committee on Fish and Game, reported the following amendments,

200, Senate bill to authorize the Board of Fisheries to prepare and use in its office a complete list of persons holding oyster fishing ground by assignment of record in the clerk's offices and number of acres held by each, and the number of acres occupied after planting not of record in said clerk's offices.

WALKER, from the same committee, reports, with a substitute,

202, Senate bill to amend and re-enact chapter 536, Acts of 1902-3-4, approved December 31, 1903, entitled an act to



authorize parties planting oysters on ground rented for erect piers, docks or watch houses on the same.

He, from the same committee, reported, without amendment.

No. 203, Senate bill to protect pheasants or grouse in the State of Accomac and Northampton.

He, from the same committee, reported, without amendment.

No. 246, Senate bill to extend the powers and duties of the State Board of Fisheries.

He, from the same committee, reported, with amendments.

No. 5, House bill to amend and re-enact subsection 2070a, and section 2079 of the Code, as amended by Act approved May 14, 1903, entitled "an act to amend and alter section 95 of the Code of Virginia, in relation to the protection of certain useful birds and animals, and to prevent unlawful hunting and to repeal certain sections of the Code," etc.

He, from the same committee, reported; with amendments.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize the State Board of Fisheries to employ a surveyor and making an appropriation for compensation of the same, approved March 28, 1902.

He, from the same committee, reported, without amendment.

No. 25, House bill to have plats of oyster planting ground surveyed and endorsed "abandoned" under certain conditions, and to provide for the renting of such ground.

He, from the same committee, reported, with amendments.

No. 29, House bill for the protection of pheasants and other birds imported for propagation.

Mr. WICKHAM, from Committee on Finance and Banking, reported, with amendment.

No. 130, House bill to provide for the removal of the statue of Washington from the Capitol to the Library of Congress, or to some other place.

He, also, reported from same committee, with a substitute.

No. 162, Senate bill to amend and re-enact section 27 of the Code of Virginia, entitled "collection of oysters."

He, also, reported from same committee, with amendments, and that it do not pass.

No. 97, House bill to prohibit the selling or furnishing of spirituous or malt liquors or intoxicating liquors to minors in the State.

He, also, reported from same committee, with amendments, and that it do not pass.

3, House bill to amend and re-enact section 3804 of the Virginia, as amended by an act approved March 5, 1900.

MACHEN, by leave, presented

54, Senate bill to authorize and permit the creation of es-  
devise or deed of gift to which the estates of curtesy and  
all not attach.

On motion, the bill being partially read, it was referred to  
Committee for Courts of Justice.

WALKER, by leave, presented

55, Senate bill to secure the better enforcement of the local  
laws of the State, and to define the jurisdiction of the courts  
counties of this State as to water courses lying between coun-  
opposite counties or magisterial districts in which local op-  
erails.

On motion, the bill being partially read, it was referred to the  
Committee for Courts of Justice.

WALKER moved that the Committee for Courts of Justice  
be discharged from further consideration of the bill, which was  
carried by the following vote—yeas, 23; nays, 0.

Members who voted are:

Messrs. Anderson, Barksdale, Byars, Campbell, Ford, Fulton, Gun-  
ter, Harman, A. C., Hobbs, Holt, Keezell, Machen, McIlwaine, Phlegar, Risson,  
Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wick-

None.

By unanimous consent, Mr. WALKER moved to dispense with the  
reading of the bill, as required by section 50 of the  
constitution, and the Senate being satisfied that an emergency ex-  
was agreed to by the following vote—yeas, 26; nays, 0.

Members who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell,  
Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, McIl-  
waine, Phlegar, Risson, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner,  
Wallace and Wickham—26.

None.

The bill was then ordered to be engrossed, and being forthwith  
read, on his further motion, was passed, with its title, by the  
following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, CH. Cromwell, Ford, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Machen, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, St. Clair, T. Walker, Wallace and Wickham—26.

NAYS—None.

Mr. FULTON, by leave, presented

No. 256, Senate bill to allow the town of Front Royal to said town, the inhabitants thereof and the inhabitants in the city of said town, with light, and to issue bonds of said town to effect said purpose, and to hold an election therefor.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. McILWAINE, from the Committee for Courts of Justice, reports with a substitute.

No. 74, Senate bill to give non-resident laboring men and householders the right to plead in any proceedings in the courts before the justices of the peace of this State the exemption authorized by section 3652 of the Code of Virginia.

He, from the same committee, reported, without amendment.

No. 208, Senate bill to amend and re-enact section 2689 of the Code of Virginia of 1887, in relation to resignation by fiduciaries of his trust.

He, from the same committee, reported, without amendment.

No. 209, Senate bill to amend and re-enact section 2708 of the Code of Virginia of 1887, in relation to proceedings by legal distributees to compel creditors to show cause against distribution of estate, their liability to refund in such case.

He, from the same committee, reported, without amendment.

No. 211, Senate bill to amend and re-enact sections 2698, 2702 and 2703 of the Code of Virginia of 1887, in relation to the firmation of fiduciary accounts, and the investment, payment and distribution of money in hands of fiduciary.

He, from the same committee, reported, without amendment.

No. 222, Senate bill to amend and re-enact section 3932 of the Code of Virginia of 1887, relating to chain-gangs and who work in them, as amended and re-enacted by an act approved December 24, 1903, entitled an act to amend and re-enact sections 3916, 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia.

And he, from the same committee, reported without amendment.

No. 238, Senate bill to make the 5th day of April, 1904, a legal holiday in this State.

216, Senate bill to provide for the establishing of a dispensary for the sale of intoxicating liquors in the town of Chatham, Chatham county, Virginia, and to prohibit the sale of intoxicating liquors therein, except as herein provided, with committee amendments, on motion of Mr. RISON, by unanimous consent, was passed.

MR. RISON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Senators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner and Wallace—24.

—None.

Committee amendments were adopted.

MR. RISON offered amendments, which were adopted. The bill, as amended, was then ordered to be engrossed; and being so engrossed, on his further motion, was passed, with its yeas, 21; nays, 1.

Senators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Fulton, A. C., Hobbs, Holt, Keezell, Machen, McIlwaine, Opie, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Wallace—21.

—Mr. Mann—1.

229, Senate bill to amend and re-enact subsection six of section 85 of the Code of Virginia, as amended and re-enacted by an act approved February 7, 1903, with committee amendment, on motion of MR. MACHEN, by unanimous consent, the bill was passed.

MR. MACHEN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Senators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, McIlwaine,

Opie, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, T and Wallace—24.

NAYS—None.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed forthwith engrossed, on his further motion, was passed by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cam Cromwell, Gunter, Harman, A. C., Hobbs, Holt, Keezell, McIlwaine, Opie, Rison, Sadler, Sale, Sears, Shackelford, T and Wallace—24.

NAYS—None.

Mr. MACHEN moved to reconsider the vote by which passed, which was rejected.

Mr. OPIE, from the Committee on County, City and Organization, reported, without amendment,

No. 53, House bill "to amend and re-enact section approved March 5, 1894, entitled an act to amend the town of Gladeville, in Wise county."

He, from the same committee, reported, without

No. 72, House bill to amend and re-enact an act of 1836, entitled "an act to incorporate the town of county of Botetourt (now in Roanoke county) and all tory thereof.

He, from the same committee, reported, without

No. 109, Senate bill to amend, revise and re-enact 26 and 28 of the charter of the town of Pocahontas county, Virginia.

He, from the same committee, reported, without

No. 115, Senate bill to authorize and empower the town of Pocahontas, Virginia, to sell a strip of eight east side of Centre street, from St. Clair street to w as Philadelphia Row, in order to straighten said Cen make same of uniform width, and to provide that the from same shall go to the benefit of the public school o

He, from the same committee, reported, without

No. 131, Senate bill to incorporate and provide a c town of Damascus, Virginia.

He, from the same committee, reported, without

74, Senate bill to authorize the city of Bristol, Virginia, to additional issue of bonds for water works improvement.

from the same committee, reported, with amendments,

40, Senate bill to amend and re-enact section 94 of an act an act to amend and re-enact chapter 9 of the Code of , as amended and re-enacted by an act of the General As- of Virginia, approved May 20, 1903, entitled an act to and re-enact chapter 9 of the Code of Virginia of 1887, in to the election of State, county, district and city officers, terms of their offices, and filling vacancies, approved De- 18, 1903.

from the same committee, reported, without amendment,

70, Senate bill to authorize the judge of the Circuit Court hland county to appoint a board of county road commis- for Goochland county, and to define their duties in con- with working the public roads of said county, and to in- the county road levy necessary therefor.

from the same committee, reported, without amendment,

01, Senate bill to authorize the town of Onancock, in the of Accomac, Virginia, to borrow money.

from the same committee, reported, with a substitute,

10, Senate bill to amend and re-enact an act entitled "an amend the road law of Prince George county," approved 3, 1898.

motion of Mr. HOBBS, by unanimous consent, the bill was p.

HOBBS moved to dispense with the reading of the bill, as l by section 50 of the Constitution, and the Senate being that an emergency exists, it was agreed to by the following yeas, 23; nays, 0.

ors who voted are:

Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Gunter, Har- C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Rison, Sadler, Sears, St. Clair, Tavenner, Walker and Wick-

-None.

bill was then ordered to be engrossed; and being forthwith ed, on his further motion, was passed, with its title, by the ng vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Chapman, Cromwell, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, waine, Opie, Phlegar, Rison, Sadler, Sears, St. Clair, Tavenn Wickham—24.

NAYS—None.

He, from the same committee, reported, without a

No. 207, Senate bill to amend and re-enact section entitled an act to provide a new charter for the city of approved March 5, 1900, and to repeal sections 132 and

He, from the same committee, reported, with the recommendation that it be referred to the Committee for Courts of Justice.

No. 50, House bill to allow the street mileage in Chase City, county of Mecklenburg, Virginia, to be mileage of county public roads, and to receive its proportion of county road levy.

The report of the committee was adopted, and the bill referred to the Committee for Courts of Justice.

He, from the same committee, reported, with a summary.

No. 151, Senate bill to authorize the county of Northampton to toll roads and toll bridges in said county, and to incur the expense of that purpose.

He, from the same committee, reported, without a vote.

No. 228, Senate bill to prescribe the jurisdiction of the supervisors in matters pertaining to county roads, toll roads, ferries and mills.

He, from the same committee, reported, without a vote.

No. 227, Senate bill to amend and re-enact section of the Code of Virginia, as amended and re-enacted by an act to amend and re-enact sections 826, 831, 832, 833, 836, 838, 840, 841, 846, 847, 849 and 850, and to amend section 839 of the Code of Virginia, approved December 31, 1900.

He, from the same committee, reported, without a vote.

No. 226, Senate bill to amend and re-enact section of the Code of Virginia, as amended and re-enacted by an act to amend and re-enact sections 826, 831, 832, 833, 836, 838, 840, 841, 846, 847, 849 and 850, and to amend section 839 of the Code of Virginia, approved December 31, 1900.

No. 12, House bill to establish a dispensary for the sale of eating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell or exchange such liquor in said town, and to repeal all laws

his act so far as they apply to said town, on motion of Mr. CLAIR, by unanimous consent, was taken up.

St. CLAIR moved to dispense with the reading of the bill, as ordered by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 24; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker and Wallace—24.

—None.

St. CLAIR offered an amendment, which was adopted. On his further motion, the bill was then passed, with its title, by the following vote—yeas, 21; nays, 0.

Members who voted are:

—Messrs. Barksdale, Bryant, Campbell, Chapman, Gunter, Harman, Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Ople, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Wallace—21.

—None.

St. CLAIR moved to reconsider the vote by which the bill was passed, which was rejected.

Senate bill to amend and re-enact section 50 of the Code of Virginia of 1887, as amended and re-enacted by an act entitled to amend and re-enact section 50 of chapter 7 of the Code of Virginia, in relation to the apportionment of representation in Congress, approved February 15, 1892, being the special and concurring order of the day, the hour of 12:30 o'clock having arrived, taken up, read the third time, and passed, with its title, by the following vote—yeas, 21; nays, 8.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromarman, A. C., Hobbs, Holt, Keezell, Mann, Massie, McIlwaine, Ople, Rison, Sale, Shackelford, St. Clair, Tavenner and Wickham—21.

—Messrs. Byars, Fulton, Gunter, Machen, Sadler, Sears, Walker and Wallace—8.



Mr. SALE moved to reconsider the vote by which passed, which was rejected, and he was ordered to inform of Delegates thereof.

Mr. SALE, by leave, presented

No. 257, Senate bill requiring Superintendent of Education to enforce collection of certain judgments and fees due in the literary fund, etc.

On his motion, the bill being partially read, it was referred to the Committee on Public Institutions and Education.

Mr. KEEZELL, by leave, presented

No. 258, Senate bill to authorize the town of Harrisonburg, the county of Rockingham, or either of them, to appropriate for the purpose of securing the location of a State Free School at or near the town of Harrisonburg.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

No. 87, House bill to amend and re-enact sections of an act to amend and re-enact title 12 of the Code in relation to the public debt, approved December 1, 1901.

On motion of Mr. ANDERSON, by unanimous consent taken up and recommitted to the Committee on Finance.

No. 247, Senate bill to amend and re-enact subsection 8 of an act approved December 21, 1901, enacted to incorporate the town of Fries, in Grayson county, amended by an act approved March 29, 1902.

On motion of Mr. FULTON, by unanimous consent taken up.

Mr. FULTON moved that the Joint Committee on Special and Local Legislation be discharged from further consideration of the bill, which was agreed to by the following vote: Yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cammerford, Fulton, Gunter, Harman, A. C., Hobbs, Keezell, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Walker and Wiskham.

NAYS—None.

The bill was referred to the Committee on County and Town Organization.

Mr. FULTON moved that the Committee on County and Town Organization be discharged from further consideration.

ll, which was agreed to by the following vote—yeas, 27; 0.

ators who voted are:

s—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie,aine, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair,ner, Walker and Wickham—27.

s—None.

. FULTON moved to dispense with the printing and reading of ll, as required by section 50 of the Constitution, and the Sen- ing satisfied that an emergency exists, it was agreed to by the ving vote—yeas, 28; nays, 0.

ators who voted are:

s—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, ell, Ford, Fulton, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shack- St. Clair, Tavenner, Walker and Wickham—28.

s—None.

e bill was then ordered to be engrossed; and being forthwith ssed, on his further motion, was passed, with its title, by the ving vote—yeas, 28; nays, 0.

ators who voted are:

s—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Fulton, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, e, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, air, Tavenner, Walker and Wickham—28.

rs—None.

r. HOLT, by leave, presented

. 259, Senate bill appropriating the sum of five thousand dol- for the expenses of State militia attending the launching of the eship Virginia.

a his motion, the bill being partially read, it was referred to the mittee on Finance and Banks.

he hour of 2 o'clock having arrived, the chair was vacated until o'clock, P. M.

## EVENING SESSION.

THURSDAY, MARCH 3, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
No. 7, House bill to amend and re-enact section 52 of Virginia, as amended by an act approved February 18, 1898, further amended by an act approved March 3, 1898, as amended by an act approved February 7, 1898, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the commissioner of the revenue, being the special order of the day, was taken up.

Mr. McILWAINE offered a substitute for the bill.

Mr. McILWAINE offered an amendment to the substitute, which was adopted.

Mr. RISON offered an amendment to the substitute, which was adopted.

Mr. CAMPBELL offered amendments to the bill, which were rejected.

Mr. SHACKELFORD offered an amendment to the bill, which was adopted.

Mr. SALE offered an amendment, to the bill, which was adopted. The substitute, as amended, was then adopted.

The bill was then passed by the following vote—yeas 16, nays 9.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Chapman, Cromwell, Hutcheson, Massie, McIlwaine, Sale, Shackelford, St. Clair, Tamm, Wallace and Wickham—16.

NAYS—Messrs. Byars, Campbell, Ford, Machen, Ople, Sadler and Sears—9.

On motion of Mr. McILWAINE, the title was amended.  
No. 190, Senate bill to amend and re-enact section 147 of the General Assembly of Virginia, entitled "an act to re-enact sections 75 to 147, inclusive, of an act approved March 15, 1903, and to provide how social clubs chartered since 1903, shall obtain license to sell ardent spirits," etc.

On motion of Mr. HOLT, by unanimous consent the bill was taken up.

Mr. HOLT moved to dispense with the reading of the bill.

ed by section 50 of the Constitution, and the Senate being  
ed that an emergency exists, it was agreed to by the following  
yeas, 25; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell,  
Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Machen, Massie,  
line, Ople, Phlegar, Rison, Sadler, Sears, St. Clair, Tavenner, Walker.  
e and Wickham—25.

—None.

e bill was ordered to be engrossed.

McILWAINE moved to reconsider the vote by which the bill  
ngrossed.

HOLT moved to pass the motion by, which was agreed to.  
motion of Mr. HOLT, the bill was made the special and con-  
g order of the day for Friday, March 4, 1904, at 12:15  
k.

. SHACKELFORD, by leave, presented

. 260, Senate bill to amend and re-enact section 2935 of the  
of Virginia of 1887, as amended by the Acts of 1897-1898.

his motion, the bill being partially read, it was referred to the  
nittee for Courts of Justice.

. SALE, by leave, presented

. 261, Senate bill to amend and re-enact sections 37 and 43 of  
t entitled "an act to raise revenue for the support of the gov-  
ent and the public free schools, and to pay the interest on the  
e debt, and to provide a special tax for pensions, as author-  
py section 189 of the Constitution, approved April 16th.

his motion, the bill being partially read, it was referred to the  
nittee on Finance and Banks.

. PHLEGAR, by leave, presented

. 262, Senate bill to authorize the town of Blacksburg, in  
gomery county, to donate a sum not exceeding one thousand  
rs for the purpose of erecting in said town a public school build-

his motion, the bill being partially read, it was referred to the  
Committee on Special, Private and Local Legislation.

message was received from the House of Delegates by Mr.  
p, who informed the Senate that that House had passed

. 168, House bill to empower any corporation, its agents, conduc-  
or employees operating in this State, sleeping, dining, palace,  
r, chair, or compartment cars on the railroads in this State,  
ject and refuse admittance to any and all persons to enter into,

and to ride, in such sleeping, dining, palace, parlor, or apartment cars, when, in the discretion of such corporations and conductors, it may be necessary and advisable to do so.

The bill was taken up and referred to the Committee on Roads and Internal Navigation.

Mr. WICKHAM moved that the Committee on Roads and Internal Navigation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chas. C. Ford, Fulton, Harman, A. C., Hutcheson, Machen, Massey, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Walker, Wallace and Wickham—25.

NAYS—None.

Mr. WICKHAM moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chas. C. Ford, Fulton, Gunter, Harman, A. C., Holt, Hutcheson, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Walker, Wallace and Wickham—27.

NAYS—None.

Mr. WICKHAM offered an amendment, which was agreed to.

On his further motion, the bill, as amended, was then passed on its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chas. C. Ford, Fulton, Gunter, Harman, A. C., Holt, Hutcheson, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Walker, Wallace and Wickham—27.

NAYS—None.

On motion of Mr. WICKHAM, the title was amended and the Senate ordered to inform the House of Delegates thereof.

No. 238, Senate bill to make the 5th day of April

y selected for the launching of the battleship "Virginia," a holiday in this State.

motion of Mr. HOLT, by unanimous consent, the bill was up.

HOLT moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following yeas, 21; nays, 0.

ators who voted are:

—Messrs. Byars, Campbell, Chapman, Cromwell, Gunter, Harman, A. C., Hutcheson, Keezell, Machen, Massie, McIlwaine, Phlegar, Sadler, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—21.

—None.

bill was then ordered to be engrossed; and being forthwith read, on his further motion, was passed, with its title, by the following vote—yeas, 21; nays, 1.

ators who voted are:

—Messrs. Barksdale, Byars, Campbell, Cromwell, Gunter, Harman, A. C., Hutcheson, Keezell, Machen, Massie, McIlwaine, Phlegar, Sadler, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—21.

—Mr. Anderson—1.

10, House bill to amend and re-enact section 3500 of the Code of Virginia, as amended and re-enacted by an act approved the 1st day of December, 1903, was taken up, read the third time and rejected, with its title, by the following vote—yeas, 6; nays, 17.

ators who voted are:

—Messrs. Anderson, Harman, A. C., Hutcheson, Sadler, Sears and Wickham—6.

—Messrs. Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Holt, Machen, McIlwaine, Phlegar, Rison, Sale, Shackelford, St. Clair, Tavenner and Wickham—17.

PHLEGAR moved to reconsider the vote by which the bill was passed, which was rejected.

motion of Mr. WICKHAM, the Senate adjourned until to-morrow at 12 o'clock.

## MORNING SESSION.

FRIDAY, MARCH 4, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the  
Prayer by Rev. John Moncure.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates,  
was read as follows:

*In House of Delegates, Ma*

The House of Delegates has passed Senate bills appropriating the sum of \$250,000 for the enlargement and repair of the State capitol building, providing for the expenditure thereof, and repealing an act approved April 2, 1902, as appropriates \$100,000 and repairing said building, etc., No. 7.

An act to prevent the unauthorized use of the name of any person for the purpose of trade or for advertisement, No. 35.

An act to amend and re-enact section 25 of an act to raise revenue for support of the government and schools, and to pay the interest on the public debt, and a special tax for pensions as authorized by section 1 of an act "in substitution," approved April 16, 1903, No. 163.

An act to amend and re-enact sections 2903 and 2904 of Virginia of 1887, No. 14.

An act to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1903, to the sale of goods and chattels in certain cases, No. 33.

An act to amend and re-enact sections 3340 and 3341 of Virginia, so as to allow the contents of any paper filed in any county, circuit or corporation court, or in any office, to be proved before a commissioner; and to authorize judges of circuit and corporation courts to make such examination as may be necessary to secure to persons seeking to prove the contents of any will, deed or other paper which has been filed in the clerk's offices of said courts, or of the county courts, any book therein, and which is lost or illegible, the act approved April 16, 1903, No. 175, and

An act to amend and re-enact the 12th article of the Code of Virginia, as amended and re-enacted by

amend and re-enact title 8 of the Code of Virginia, in re-salaries, mileage and other allowances, approved February No. 30.

have agreed to the amendments proposed by the Senate to bill entitled an act to empower any corporation, its agents, rs, or employees, operating in this State, sleeping, dining, parlor, chair, or compartment cars on the railroads in this reject and refuse admittance to any and all persons to enter d to ride, in such sleeping, dining, palace, parlor, chair, or ment cars, when, in the discretion of such corporation, its nd conductors, it may be necessary and advisable to do so,

have refused to concur in the amendments proposed by the to House bill entitled an act to amend and re-enact section the Code of Virginia and to repeal section 907 of the Code inia, concerning property levied on or distrained by an offi- 112.

have passed House bills entitled an act to amend and re- section 2, chapter 453, Acts of Assembly, 1901-2, approved , 1902, entitled an act to aid the citizens of Virginia who disabled by wounds received during the war between the while serving as soldiers, sailors, or marines of Virginia, and served during the said war as soldiers, sailors or marines of a, who are now disabled by disease contracted during the by the infirmities of age, and the widows of soldiers, sailors nes of Virginia who lost their lives in said service, or whose resulted from wounds received or disease contracted in said and providing penalties for violating the provisions of this . 138.

act to amend and re-enact an act entitled an act to amend and t section 3184 of the Code of Virginia, 1887, to provide for index to deed books and other records, approved February 02, and to provide for the verification of same, No. 140.

act to amend and re-enact section 2291 of the Code of Vir- as amended by chapter 1139 of the Acts of 1899-1900, 12.

act to amend and re-enact section 1 of an act approved March 03, in relation to changing the boundaries of wards in cities, or increasing or diminishing the number thereof, No. 147.

act for the relief of corporations from excessive or erroneous r fees, No. 155.

act to authorize the board of supervisors of Middlesex county row money for the purpose of rebuilding the jail and repair-



ing the clerk's office of said county and to issue b  
No. 157.

An act to authorize the city of Portsmouth to issue  
a school house and for other school purposes, No. 158.

An act to submit to the qualified voters of the voti  
Windsor, in the county of Isle of Wight, at a special  
held therefor, the question of the establishment of a  
the sale of intoxicating liquors in the town of Winds  
event of a majority of those voting at said election  
dispensary, then further to provide for the establish  
duct of the same, and to prohibit thereafter, within sa  
cinct, or within one mile of its limits, the sale, barte  
of intoxicating liquors by all persons, firms or corpor  
as provided herein, No. 160.

An act to authorize the supervisors of Caroline co  
permission for a monument to the Confederate sol  
county, to be erected in the courthouse square of sai  
to make an appropriation thereto, No. 161.

An act to authorize the board of supervisors of C  
to levy an additional capitation tax of one dollar per  
applied in aid of public schools in said county, or  
county purposes as they shall determine, No. 162.

An act to authorize and empower the board of supe  
son county to appropriate and contribute money for  
aiding in the erection of a monument to the Confed  
of said county, No. 163.

An act to amend and re-enact section 3706 of the C

An act for working and keeping in repair the pu  
bridges in the county of Buckingham and to levy a  
in connection therewith, No. 165.

An act to create a road board for the county of F  
provide for the working of the roads of said county, T

An act to provide a road law for Russell county,  
to repeal chapter 237, Acts of Assembly, extra sessio  
said acts, No. 169.

An act to amend and re-enact section 723, as amer  
approved December 10, 1903, No. 175.

An act to amend and re-enact section 3001 of the  
ginia, as amended by an act approved February 24,  
tion to indemnifying bonds to officers, their penalties  
and to provide for suspending bonds in certain case  
tions and effect, No. 178.

An act to amend and re-enact section 3111 of the

s amended and re-enacted by an act approved January 11, No. 180.

ct to amend and re-enact section 1670 of the Code of Virginia amended and re-enacted by an act approved the 8th day of 1894, No. 181, and

ct to empower the council of the city of Danville to borrow \$1000 on temporary loan, in addition to the amount now allowed by the city charter, No. 186.

have passed joint resolution requesting representatives in Congress to support measures providing for good roads.

which they request the concurrence of the Senate.

112, House bill to amend and re-enact section 906 of the Code of Virginia, and to repeal section 907 of the Code of Virginia, concerning property levied on or distrained by an officer, with Senate substitute.

House of Delegates refused to concur in Senate substitute.

138, House bill to amend and re-enact section 2, chapter 453, of Assembly 1901-'2, approved April 2, 1902, entitled "an act to aid the citizens of Virginia who were disabled by wounds received during the war between the States, while serving as soldiers, or marines of Virginia, and such as served during the said war as soldiers, sailors, or marines of Virginia, who are now disabled by disease contracted during the war, or by the infirmities of age, and the widows of soldiers, sailors, or marines of Virginia who lost their lives in said service, or whose death resulted from wounds received or disease contracted in said service, and providing penalties for violating the provisions of this act, was taken up and referred to the Committee on Finance and Banks.

140, House bill to amend and re-enact an act entitled an act to amend and re-enact section 3184 of the Code of Virginia, 1887, to provide for general index to deed books and other records, approved February 29, 1892, and to provide for the verification of copies, was taken up and referred to the Committee for Courts of Justice.

142, House bill to amend and re-enact section 2291 of the Code of Virginia as amended by chapter 1139 of the Acts of 1899-1900, was taken up and referred to the Committee for Courts of Justice.

147, House bill to amend and re-enact section 1 of an act approved March 28, 1903, in relation to changing the boundaries of wards in cities, and for increasing or diminishing the number of wards, was taken up and referred to the Committee on County, and Town Organization.

155, House bill for the relief of corporations from excessive

or erroneus charter fees, was taken up and referred to the Committee on Finance and Banks.

No. 157, House bill to authorize the board of supervisors of Middlesex county to borrow money for the purpose of building a jail and repairing the clerk's office of said county and therefor, was taken up and referred to the Committee on County, City and Town Organization.

No. 158, House bill to authorize the city of Portland to issue bonds to build a school house and for other school purposes, was taken up and referred to the Committee on County, City and Town Organization.

No. 160, House bill to submit to the qualified voters of the precinct of Windsor, in the county of Isle of Wight, at the next election to be held therefor, the question of the establishment of a dispensary for the sale of intoxicating liquors in the said precinct, and in the event of a majority of those voting in favor of said dispensary, then further to provide for the management and conduct of the same, and to prohibit the sale of said liquors within one mile of its limits, or barter, or exchange of intoxicating liquors, by all persons or corporations, except as provided herein, was taken up and referred to the Committee on Finance and Banks.

No. 161, House bill to authorize the supervisors of Middlesex county to grant permission for a monument to the soldiers of said county to be erected in the courthouse square of said county, and to make appropriation thereto, was taken up and referred to the Committee on County, City and Town Organization.

No. 162, House bill to authorize the board of supervisors of Lincoln county to levy an additional capitation tax of one dollar per annum, to be applied in aid of public schools in said county, and for such other county purposes as they shall determine, was taken up and referred to the Committee on County, City and Town Organization.

No. 163, House bill to authorize and empower the supervisors of Nelson county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the soldiers of said county, was taken up and referred to the Committee on County, City and Town Organization.

No. 164, House bill to amend and re-enact section 10 of chapter 10 of the Code, was taken up and referred to the Committee on County, City and Town Organization.

No. 165, House bill for working and keeping in repair the roads and bridges in the county of Buckingham, and

tax in connection therewith, was taken up and referred to Committee on County, City and Town Organization.

166, House bill to create a road board for the county of \_\_\_\_\_, and to provide for the working of the roads of said \_\_\_\_\_, was taken up and referred to the Committee on County, City and Town Organization.

169, House bill to provide a road law for Russell county, \_\_\_\_\_, and to repeal chapter 237 of Acts of Assembly, extra session 1902-1903-1904 of said act, was taken up and referred to the Committee on County, City and Town Organization.

175, House bill to amend and re-enact section 723 of the Constitution of Virginia as amended by an act approved December 10, 1904, was taken up and referred to the Committee for Courts of Justice.

178, House bill to amend and re-enact section 3001 of the Constitution of Virginia, as amended by an act approved February 24, 1904, in relation to indemnifying bonds to officers, their penalties in addition, and to provide for suspending bonds in certain cases, under certain conditions and effect, was taken up and referred to the Committee for Courts of Justice.

180, House bill to amend and re-enact section 3111 of the Constitution of Virginia, as amended and re-enacted by an act approved February 11, 1904, was taken up and referred to the Committee for Courts of Justice.

181, House bill to amend and re-enact section 1670 of the Constitution of Virginia, as amended and re-enacted by an act approved March 1, 1894, was taken up and referred to the Committee for Courts of Justice.

186, House bill to empower the council of the city of Danville to borrow fifty thousand dollars on temporary loan in addition to the amount now allowed by the city charter, was taken up, and referred to the Committee on County, City and Town Organization.

House joint resolution:

Whereas, the farming classes pay a large portion of the taxes for the support of the army, navy and pensions and for public improvements such as rivers and harbors, public buildings and irrigation, and,

Whereas, there is no public enterprise or improvement in which the people are so much interested, or which so nearly concerns their health, happiness and prosperity, as the improvement of the main highways; therefore, be it,

Resolved, by the House of Delegates (the Senate concurring),

That the representatives in the national Congress are, hereby requested to support the proposed measure to aid to the several States in the permanent improvement of public roads.

The resolution was taken up and adopted.

Mr. WICKHAM, from Committee on Finance and Taxation, reported without amendment,

No. 196, Senate bill to amend section 43 of an act to raise revenue for the support of the government debt, and to provide a special tax for pensions, as section 189 of the Constitution," approved April 15, 1904, amended by an act approved February, 1904.

He also reported from the same committee, with a

No. 165, Senate bill to repeal the joint resolution of May 5, 1888, transferring to Mt. Vernon Association a State of Virginia against the United States government.

He also reported, from the same committee, with amendments, amended title,

No. 87, House bill to amend and re-enact section of an act to amend and re-enact title 12 of the Code of Virginia in relation to the public debt, approved December 17, 1903.

Mr. OPIE, from the Committee on County, City and Town Organization, reported without amendment,

No. 239, Senate bill to amend and re-enact section of Virginia as amended and re-enacted by an act to amend and re-enact chapter 9 of the Code of Virginia as amended and re-enacted by an act of the General Assembly, approved May 20, 1903, entitled 'an act to amend and re-enact chapter 9 of the Code of Virginia of 1887, in relation to the election of State, county, district and city officers and their offices and filling vacancies,' approved December 17, 1903.

Mr. BYARS, by leave, presented

No. 263, Senate bill to regulate connections between telegraph companies and the delivery of messages by telegraph companies, subject to the orders of the Interstate Commerce Commission.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. OPIE, by leave, presented

No. 264, Senate bill to lessen the danger of travel on the coast.

On his motion, the bill being partially read, it was referred to the Committee on Roads and Internal Navigation.

CROMWELL, by leave, presented

265, Senate bill to amend and re-enact chapter 580 of the General Assembly, extra session 1902-'3-'4, entitled "an amend and re-enact section 60, chapter 7, of the charter of the City of Portsmouth, in relation to city officers.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

MANN, by leave, presented

266, Senate bill to amend and re-enact section 2079 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly, approved May 14, 1903.

On his motion, the bill being partially read, it was referred to the Committee on Fish and Game.

MANN, by leave, presented

267, Senate bill to provide places of abode and for the safe keeping, control and guardianship of children who are ill treated, neglected or deserted by parents, guardians or other custodians, or who may be exposed to immoral or vicious influence or training.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

SADLER, by leave, presented

268, Senate bill to amend and re-enact section 4 of an act approved March 4, 1898, amending and re-enacting sections 3 and 4 of an act entitled an act to provide for a bureau of labor and industrial statistics, and defining the duties of said bureau, approved March 3, 1898.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

A message was received from the Governor, by his secretary, as follows:

## COMMONWEALTH OF VIRGINIA,

### GOVERNOR'S OFFICE,

RICHMOND, March 4, 1904.

*to the Senate;*

I hereby appoint, subject to your confirmation, as visitors to the Virginia School for the Deaf and the Blind, W. L. Keyser, of Norfolk; R. G. Bourne, of Grayson; and Samuel H. Miller, of Albemarle; each for the term of two years, beginning July 1, 1904; A. H. McCue, of Augusta; J. H. Lindsey, of Charlottesville; and G. W. Butts, M. D., of Suffolk; each for the term of four years, beginning July 1, 1904.

No. 64, House bill to provide for the extension of limits of cities and towns being the special and common of the day, the hour of 12.30 o'clock having arrived,

Mr. SADLER offered an amendment as follows:

On page 2 line 19, after the word "hearing," insert the following:

For the purposes of this bill, all cities with a population of twenty thousand, and over, shall be considered as cities of the first class; those with a population under twenty thousand shall be of the second class, which shall be placed on the same footing as cities of the second class.

In cases of proposed annexation by cities of the second class, the circuit court of the county or counties, to which annexation is sought to be annexed, or the judge thereof, shall order a special election to be held, at such time and place in each magisterial district, or part thereof, as shall be determined, twenty days prior to the holding thereof, at two o'clock in the afternoon, at places in each magisterial district, or part thereof, embraced in the territory sought to be annexed; said order shall also contain the terms of annexation proposed, as herein provided, and also the time when, and the court in which the election is pending. Such election shall be by ballot, on a printed form, printed For—Against Annexation, the word For or Against erased, as the case may be, and the said special election shall be held in form, to the election laws in force at the time the election is held, except as may be herein otherwise provided. The circuit court, or the judge thereof in vacation shall designate the clerk and clerks of said special election. The returns shall be made to the clerk's office of the circuit court wherein the motion is made, and the said vote shall be canvassed by a board of canvassers composed of the clerk of said court, the clerk of the board of supervisors and the Commonwealth's attorney, wherein the said court is held, and the result thereof shall be reported to the judge designated to hold said court. Only the qualified electors of the territory sought to be annexed shall participate in the election, and the result of the same shall be prima facie evidence of the expediency of the proposed annexation, but no other evidence contained shall preclude the court from hearing further evidence either for or against such annexation and deciding thereon on its merits.

In cases of cities of the first class desiring to annex territory, the judge designated to hold the court may, at any stage of the proceedings, order a special election to be held, which, if ordered, shall be held, participated in and have the same force and effect as a special election in cases of cities of the second class.

may hear the qualified voters living in the territory sought to be annexed, by petition, or otherwise, as he may direct, as to the expediency of such annexation.

In all cases where a special election is held under the provisions of this act, the expense of such election shall be borne by the city or town desiring to annex the territory wherein the election is held; where two cities, or a city and a town desire to annex the same territory, then, and in that event, the expense of such election shall be borne concurrently by the cities or the city and the town, respectively.

The bill was rejected by the following vote—yeas, 12; nays, 23.

Voters who voted are:

—Messrs. Cromwell, Greear, Gunter, Hobbs, Hutcheson, Machen, McRison, Sadler, Tavenner, Turner and Wallace—12.

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Harman, A. C., Harman, J. N., Holt, Keezell, Mann, Massie, Ople, Revercomb, Sale, Sears, Shackelford, St. Clair, Walker and Wickham—23.

ANDERSON offered amendments, which were adopted.

FULTON offered amendments, which were adopted.

HOLT offered an amendment, which was adopted.

ANDERSON offered an amendment, which was adopted.

McILWAINE offered an amendment, which was adopted.

RISON offered a substitute for the bill as amended, which was rejected.

SADLER offered an amendment, which was adopted.

The bill, as amended, was then passed with its title by the following vote—Yeas, 29; nays, 3.

Voters who voted are:

—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Keezell, Mann, Massie, McIlwaine, Ople, Phlegar, Revercomb, Sadler, Sale, Shackelford, St. Clair, Turner, Walker and Wickham—29.

—Messrs. Barksdale, Hutcheson and Rison—3.

MACHEN, by leave, presented

Senate bill to amend and re-enact section 273 of the Constitution of Virginia, in relation to the duties of the Superintendent of Public Printing.



On his motion, the bill being partially read, it was Committee on Printing.

Mr. A. C. HARMAN, by leave, presented

No. 270, Senate bill to require the State Corporation to recall assessments made, and not to further and loan associations or companies with State franchise year 1904.

On his motion, the bill being partially read, it was Committee on Finance and Banks.

The hour of 2 o'clock having arrived the Chair was 3:30 o'clock P. M.

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### EVENING SESSION.

FRIDAY, MARCH 4, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

No. 6, Senate bill to provide for the extension of limits of cities and towns being the special and continuing the day, was taken up by unanimous consent.

On motion of Mr. ANDERSON, the bill was referred to Committee on County, City and Town Organization.

No. 112, House bill to amend and re-enact section 907 of the Code of Virginia and to repeal section 907 of the Code concerning property levied on or distrained by a Senate substitute.

The House of Delegates refused to concur in Senate substitute.

On motion of Mr. PHLEGAR, the Senate adhered to and asked for a committee of conference.

Mr. PHLEGAR was ordered to inform the House thereof.

A message was received from the House of Delegates DUKE, who informed the Senate that that House had request of the Senate for a committee of conference on No. 112.

The President appointed Messrs. PHLEGAR, SADDLE WAINE as a committee of conference on the part of the Senate.

Mr. ANDERSON, by leave (by request), presented

No. 271, Senate bill to fix the dates for the term of court of the county of Appomattox.

his motion, the bill being partially read, it was referred to the committee for Courts of Justice.

44, Senate bill to provide for primary elections, with committee amendments, being the special and continuing order of the day was taken up.

MACHEN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following yeas, 22; nays, 0.

Senators who voted are:

Yeas—Messrs. Bryant, Byars, Campbell, Ford, Fulton, Greear, Gunter, Holt, J. N., Holt, Machen, Mann, Massie, McIlwaine, Phlegar, Rever, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Walker—22.

Nays—None.

Certain committee amendments were adopted.

One committee amendment was rejected.

Mr. MANN offered an amendment, which was adopted.

Mr. FULTON offered an amendment, which was rejected.

Mr. PHLEGAR offered an amendment, which was adopted.

Mr. MACHEN moved to pass the bill by and print it as amended, and it was agreed to.

Mr. CROMWELL, by leave, presented

Order 272, Senate bill to authorize and empower the board of supervisors of Norfolk county to issue and sell bonds to an amount not exceeding the sum of \$200,000, in the aggregate, the proceeds to be used for the purchase of existing toll road or toll roads, toll bridges or toll bridges in said county, or for building new roads and bridges.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. ANDERSON, by leave, presented

Order 273, Senate bill to amend section 14 of chapter 1 of an act entitled an act concerning corporations, as amended by an act to amend and re-enact section 14 of chapter 1 of an act entitled "an act concerning corporations," which became a law May 21, 1903.

On his motion, the bill being partially read, it was referred to the committee for Courts of Justice.

Mr. ANDERSON, by leave, presented

Order 274, Senate bill to validate certain orders of publication heretofore made without compliance with the provisions of section 3231 of the Code of Virginia as amended by an act, approved December 1903.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 186, House bill to empower the council of the city of Louisville to borrow fifty thousand dollars on temporary loan to the amount now allowed by the city charter.

Mr. RISON moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 28

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Machen, Mann, McIlwaine, Phlegar, Revercomb, Rison, Sears, Shackelford, Tavenner, Walker, Wallace and Wickham—28.

NAYS—None.

Mr. RISON moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate agreed that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Machen, Mann, McIlwaine, Phlegar, Revercomb, Rison, Sears, Shackelford, Tavenner, Walker and Wallace—26.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Croton, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Keezell, Machen, Mann, McIlwaine, Phlegar, Revercomb, Rison, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—30.

NAYS—None.

Mr. RISON moved to reconsider the vote by which the bill was passed, which was rejected.

No. 174, Senate bill to authorize the city of Bristol to make additional issue of bonds for water works improvement.

BYARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to, by the following yeas, 27; nays, 0.

Senators who voted are:

Yea—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Hutche-  
Keezell, Machen, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, St.  
Tavener, Walker, Wallace and Wickham—27.

Nay—None.

The bill was then ordered to be engrossed; and being forthwith passed, on his further motion, was passed with its title, by the following vote—yeas, 28; nays, 0.

Senators who voted are:

Yea—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Ford, Ful-  
Greear, Gunter, Harman, A. C., Harman, J. N., Hobbs, Holt, Hutche-  
Keezell, Machen, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shack-  
St. Clair, Tavener, Walker, Wallace and Wickham—28.

Nay—None.

As other business having been suspended, the President in the presence of the Senate, signed the following bills, which had been passed by both Houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

Chapter 168, House bill to empower any corporation, its agents, conductors or employees, operating in this State, sleeping, dining, parlor, chair, or compartment cars, on the railroads in this State, to reject and refuse admittance to any and all persons to enter into and ride in such sleeping, dining, parlor, chair, or compartment cars, when in the discretion of such corporation, its agents, and conductors, it may be advisable to do so.

Chapter 26, House bill to amend and re-enact section 847 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact sections 826, 831, 832, 834, 835, 836, 838, 840, 841, 846, 849 and 850, and to repeal section 839 of the Code, approved December 31, 1903."

Chapter 7, Senate bill appropriating the sum of \$250,000 for the improvement, restoration and repair of the State capitol building, and providing for the supervision of the expenditure thereof, and re-

pealing so much of an act approved April 2, 1902, as \$100,000 for restoring and repairing said building, et

No. 35, Senate bill to prevent the unauthorized use or picture of any person for the purpose of trade or for other purpose.

No. 82, House bill to amend and re-enact section of Code of Virginia in reference to notice to be given by banks of accounts.

No. 68, Senate bill to amend and re-enact an act enacted to authorize the governor to grant conditional pardon to persons confined in the penitentiary, upon recommendation of directors of said institution," approved March 1, 1900, as amended by an act approved February 3, 1900, as amended by an act approved May 1, 1903.

No. 34, House bill to impose a license tax upon gypsy and strolling companies.

No. 46, House bill to provide for the collection of military rolls, records and other materials showing the names and character of the officers and soldiers furnished by the Virginia army and navy of the Confederate States of America; to provide for the appointment and compensation of a secretary to compile Virginia military records and for other expenses incident to be performed, and to appropriate the sum of \$3,000.

No. 8, Senate bill to amend and re-enact an act enacted to provide a new charter for the city of Bristol.

No. 109, House bill to authorize the erection of a statue of Governor William Smith on the Capitol Square, Richmond.

On motion of Mr. WICKHAM, the Senate adjourned tomorrow at 12 o'clock.

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SATURDAY, MARCH 5, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Prayer by Rev. John Moneure.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by Mr. Wickham, was read, as follows:

*In House of Delegates, March 4, 1904.*

House of Delegates has agreed to the amendment proposed Senate to House bill entitled an act to establish a dispensary the sale of intoxicating liquors in the town of Pulaski, in the of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell, barter, or exchange such liquor in said town, and to all laws in conflict with this act so far as they apply to said No. 12.

have passed Senate bill entitled an act to amend and re-enact the second clause of section 188 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903, No. 64.

have passed House bills entitled an act to incorporate and amend a charter for the town of Damascus, Virginia, No. 146.

act to repeal an act approved February 16, 1901, entitled "an act to amend and re-enact section 92 of an act entitled an act to incorporate the city of Newport News, in the county of Warwick, to provide a charter therefor," approved January 16, 1896, No. 48.

which they request the concurrence of the Senate.

146, House bill to incorporate and provide a charter for the town of Damascus, Virginia, was taken up and referred to the Committee on County, City and Town Organization.

148, House bill to repeal an act approved February 16, 1901, entitled "an act to amend and re-enact section 92 of an act entitled 'an act to incorporate the city of Newport News, in the county of Warwick, and to provide a charter therefor,' approved January 16, 1896," was taken up, and referred to the Committee on County, City and Town Organization.

WICKHAM, from the Committee on Finance and Banks, reported, with amendment,

155, House bill for the relief of corporations from excessive and erroneous taxation.

also reported from the same committee, without amendment,

137, House bill to amend and re-enact sections 607 and 608 of the Code of Virginia, in relation to lists of property, etc., delinquent for taxes.

also reported from the same committee, without amendment,

136, House bill to amend and re-enact section 637 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact section 637 of the Code of Virginia, in relation to

clerks delivering to treasurers copy of list of delinquents, treasurers to post the same with notice of sale of land, levies, etc., attached," approved February 23, 1894.

He also reported from the same committee, without amendment,

No. 168, Senate bill to provide for the purchase and distribution of two thousand copies of the second edition of Hays' Manual.

He also reported from the same committee, without amendment,

No. 127, House bill appropriating the public moneys for a period of five months, beginning the 1st day of October, 1904, and ending on the 29th day of February, 1905, and for the years ending respectively, on February 28, 1905, and February 28, 1906.

On motion of Mr. WICKHAM, by unanimous consent the bill was taken up and made the special and continuing order for Tuesday, March 8, 1904, at 12:10 o'clock P. M.

Mr. WALLACE, from the Committee on Agriculture and Manufacturing, reported without amendments,

No. 252, Senate bill to repeal section 1897 of the Code of Virginia, and to amend and re-enact section 1898 of the Code of Virginia as amended and re-enacted by an act approved March 7, 1890, as amended by an act approved March 7, 1891, by an act approved February 23, 1898, as amended and re-enacted January 12, 1898.

Mr. BRYANT, from the Special Joint Committee on Private and Local Legislation, respectfully reports that the bill has been read and reported without amendment.

No. 248, Senate bill to validate and legalize the bonds of Bristol, Virginia, of date of June 1, 1903, for refunding and water works bonds.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the bill has been read and reported without amendment.

No. 244, Senate bill to amend and re-enact section 1898 of the Code of Virginia, entitled an act to authorize the supervisors of Floyd county to let to contract the work of that county and levy taxes to keep the same in repair, as amended by section 3 of said act as heretofore amended.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the bill has been read and reported without amendment.

No. 258, Senate bill to authorize the town of Harrisonburg and the county of Rockingham, or either of them, to appropriate

the purpose of securing the location of a State female normal at or near the town of Harrisonburg, not be reached by General Laws.

The bill was taken up and referred to the Committee on County and Town Organization.

From the same committee, also reports that the object of Senate bill 272, to authorize and empower the board of supervisors of Norfolk county to issue and sell bonds to an amount not exceeding the sum of \$200,000, in the aggregate, the proceeds to be used for the purchase of existing toll road or toll roads, toll bridge and bridges in said county, or for building new roads and bridges, not be reached by General Laws.

The bill was taken up and referred to the Committee on County and Town Organization.

He, from the same committee, also reports that the object of Senate bill 32, to authorize the town of Blacksburg, in Montgomery county, to donate a sum not exceeding \$1,000 for the purpose of erecting in said town a public school building, not be reached by General Laws.

The bill was taken up and referred to the Committee on County and Town Organization.

166, House bill to create a road board for the county of Fairfax, and to provide for the working of the roads of said county.

FORD moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, and that the Senate do pass the same. It was agreed to by the following vote—yeas, 31; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Dell, Ford, Fulton, Greear, Gunter, Harman, J. N., Holt, Hutcheson, J. Machen, Mann, McIlwaine, Noel, Ople, Phlegar, Revercomb, Sadler, Sears, Shackelford, St. Clair, Turner, Walker, Wallace and Wick-

—None.

On the motion of Mr. FORD, by unanimous consent, the bill was taken up.

FORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 33; nays, 0.



Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Carr, Cromwell, Ford, Fulton, Greear, Gunter, Harman, J. N., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phil Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turnlace and Wickham—33.

NAYS—None.

Mr. FORD offered an amendment, which was adopted. On his further motion, the bill as amended, was taken up by its title by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Carr, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Hutcherson, Keezell, Machen, Mann, Massie, McIlwaine, Norcom, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Walker, Wallace and Wickham—34.

NAYS—None.

Mr. KEEZELL, from the Committee on Public Education, reported, without amendment,

No. 90, House bill requiring the several county school boards of Virginia to make and publish annual reports of receipts and disbursements, and providing a penalty to do so.

He, from the same committee, reported, with amendment, that it be referred to the Committee on Finance.

No. 86, House bill to provide for the expense of transporting and maintaining insane persons; how paid.

The bill was taken up and referred to the Committee on Commerce and Banks.

He, from the same committee, reported, with amendment, both bill and title,

No. 117, Senate bill to establish a system of courts and of normal departments to city high schools, and to appropriate money therefor.

Mr. PHLEGAR, from the Committee on Conference, reported a House bill, presented the following report:

“That the Senate substitute for No. 112, House bill, as amended by striking out the following: ‘All of line 5 to and including ‘afternoon.’ To this extent

from its substitute and the House to recede from its objection to the substitute as thus amended."

ARCHER A. PHLEGAR,  
JOS. P. SADLER,  
WM. B. McILWAINE,  
*For Senate.*

R. S. POWELL,  
WM. R. DUKE,  
THOS. H. LION,  
*For House of Delegates.*

260, Senate bill to amend and re-enact section 2935 of the Constitution of Virginia of 1887, as amended by the Acts of 1897-1898.

SHACKELFORD moved that the Committee for Courts of Appeals be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutchen, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—32.

—None.

By unanimous consent, the bill was taken up.

SHACKELFORD moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, 0.

Members who voted are:

—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutchen, Machen, Mann, Massie, McIlwaine, Ople, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—30.

—None.

Mr. PHLEGAR offered an amendment, which was adopted. The bill, as amended, was then ordered to be engrossed; and before being forthwith engrossed, on his further motion, was passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Harman, J. N., Holt, Hutcheson, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Shackelford, St. Clair, Tavenner, Turner, Walker and Wickham—

NAYS—None.

A message was received from the Governor, by his secretary, as follows:

## COMMONWEALTH OF VIRGINIA,

GOVERNOR'S OFFICE,

• RICHMOND, March 4,

*To the Senate:*

I hereby appoint, subject to your confirmation, as members of the Board of Visitors of the Virginia Normal and Industrial Institute, Edward C. Glass, of Lynchburg, and Asa D. Watkins, of Farmville, for a term of two years; and Charles E. Vawter, of Warrenton, and Samuel C. Mitchell, of Richmond, for a term of two years, beginning July 1, 1904.

A. J. MONTAGUE

No. 215, Senate bill to amend and re-enact section 141 of the Code of Virginia.

Mr. BRYANT moved that the Committee on General Laws be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Fulton, Greear, Gunter, Harman, A. C., Harman, J. N., Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Revercomb, Rison, Sears, Shackelford, St. Clair, Tavenner, Turner and Wallace—28.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. BRYANT moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, 0.

tors who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ell, Ford, Fulton, Greear, Gunter, Harman, J. N., Holt, Hutcheson, Machen, Mann, McIlwaine, Ople, Phlegar, Rison, Sale, Sears, Shack-St. Clair, Tavenner, Turner, Wallace and Wickham—29.

—None.

bill was then ordered to be engrossed; and being forthwith read, on his further motion, was passed, with its title, by the following vote—yeas, 28; nays, 0.

tors who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ell, Ford, Fulton, Greear, Gunter, Harman, J. N., Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sears, Shack-St. Clair, Tavenner, Turner, Wallace and Wickham—28.

—None.

MASSIE, by leave, presented

275, Senate bill to incorporate the town of Madison Heights, Chester county.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

6, House bill to provide for the establishment, proper construction and permanent improvement of the public roads and land for building and keeping in good order and repair of all public roads, bridges, causeways, and wharves in the State of Virginia, committee amendments, being the special and continuing order of the day, the hour of 12:30 o'clock having arrived, was taken up.

RISON offered amendments, which were adopted.

TAVENNER offered an amendment.

A message was received from the House of Delegates by Mr. RINGS, who informed the Senate that that House had passed, committee amendments,

96, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor.

A message was received from the House of Delegates by Mr. RINGS, who informed the Senate that that House had passed

116, House bill to amend and re-enact section 3956 of the Code of Virginia, as amended by an act approved February 17, 1900, and by an act approved February 9, 1900, and by an act approved February 16, 1901, section 3958 and section 4106, as

amended by an act approved February 23, 1894, and by an act approved March 5, 1896, and by an act approved February 9, and by an act approved March 5, 1900, and by an act approved December 10, 1903.

The bill was taken up and referred to the Committee on General Laws.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills, which had been passed by both Houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

No. 14, Senate bill to amend and re-enact sections 2903 and 2904 of the Code of Virginia of 1887.

No. 117, House bill to amend and re-enact sections 2434 and 2435 of the Code of Virginia.

No. 81, House bill to amend and re-enact section 2693 of the Code of Virginia, in reference to posting lists of fiduciary commissioners of accounts.

No. 186, House bill to empower the council of the city of Richmond to borrow fifty thousand dollars on temporary loan, in addition to the amount allowed by the city charter.

No. 64, Senate bill to amend and re-enact the second clause of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903.

No. 106, House bill to amend and re-enact section 3916 of the Code of Virginia, as amended and re-enacted by an act approved December 24, 1903.

No. 163, Senate bill to amend and re-enact section 25 of the Constitution, entitled "an act to raise revenue for support of the government of public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 25 of the Constitution, approved April 16, 1903.

No. 30, Senate bill to amend and re-enact the 12th article of section 183 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact title 8 of the Code of Virginia, in relation to salaries, mileage and other allowances, approved February 7, 1903.

Mr. FULTON moved that the Senate, commencing on Monday next, meet at 11 o'clock A. M., which was agreed to.

Mr. ANDERSON, by leave, presented

No. 276, Senate bill to amend section 1406, as amended, in relation to proceedings by trustees of a congregation, church, religious

mination, society or branch thereof, to exchange or incumber trust property.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

Mr. ST. CLAIR, by leave, presented

Bill No. 277, Senate bill to provide a charter for the town of Narine in Giles county, Virginia.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

The hour of 2 o'clock having arrived, the chair was vacated until 6 o'clock P. M.

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## EVENING SESSION.

SATURDAY, MARCH 5, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Mr. KEEZELL, from the Committee on Finance and Banks, reported, with a substitute and amended title,

Bill No. 36, Senate bill to amend section 141 of an act approved March 16, 1903, entitled an act to raise revenue for the support of government and public free schools, etc.

Also reported, from the same committee, without amendment, Bill No. 135, House bill to exempt persons conducting temporary eater lodging houses, horse-lots and confectioneries at religious meetings from license tax.

Also reported, from the same committee, with substitute and amended title,

Bill No. 130, Senate bill to amend and re-enact sections 11, 12 and 13 of an act entitled an act to amend and re-enact an act entitled an act to create and maintain a State board of crop pest commissioners, to define its duties and powers, approved March 5, 1900, as amended by an act approved May 9, 1903.

The following House bills were taken up and read the first time:

Bill No. 40, House bill to provide for official receipts for fines.

Bill No. 5, House bill to amend and re-enact subsection 2 of section 2079, and section 2079 of the Code, as amended by an act approved May 14, 1903, entitled "an act to amend and re-enact chapter 5 of the Code of Virginia, in relation to the preservation of

certain useful birds and animals, and to prevent unlawful and to repeal certain sections of the Code," etc.

No. 59, House bill to repeal chapter 817 of the Acts of the General Assembly of 1897-98, approved March 3, 1898, chapter 4 of the Acts of the General Assembly of the extra session approved February 16, 1901, chapter 4 of the Acts of the General Assembly of 1895-6, approved December 14, 1895, chapter 405 of the Acts of the General Assembly of 1896, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-8, approved March 3, 1898.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor or surveyors and making an appropriation for compensation of the same, approved March 28, 1902.

No. 61, House bill to repeal sections 1106, 1107, 1108, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123, section 1124, as amended by an act approved February 13, 1890, sections 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133 and 1134, section 1135, as amended by an act approved January 9, 1896, sections 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143 and 1144, section 1145, as amended by an act approved February 20, 1892, and by an act approved January 17, 1896, and by an act approved April 2, 1901, sections 1146 and 1147, section 1148, as amended by an act approved January 17, 1890, sections 1149, 1150, 1151, 1152 and 1153 of chapter 11 of the Code of Virginia.

No. 25, House bill to have plats of oyster planting grounds surveyed and endorsed "abandoned" under certain conditions.

No. 75, House bill for working and keeping in repair the roads and bridges in the county of Appomattox.

No. 29, House bill for the protection of pheasants and other birds imported for propagation.

No. 98, House bill concerning liquor dealers deprived of licenses by a local option election, or by the establishment of a dispensary.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county."

No. 104, House bill to prohibit the establishment, location and maintenance of small-pox hospitals or pest-houses within five feet of any street, public road, public park, or public cemetery.

own or county of the Commonwealth, or to hereafter establish such hospital or pest-house within one hundred and fifty feet of any public road, public park, or cemetery, in any county of the Commonwealth.

96, House bill to prohibit the sale of intoxicating liquors on any public highway.

97, House bill to prohibit the selling, giving, or furnishing of spirituous or malt liquors or intoxicating liquors to minors in certain schools.

62, House bill to repeal chapter 630 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 192 of the Acts of the General Assembly of 1887-8, approved February 18, 1888; chapter 373 of the Acts of the General Assembly of 1887-8; chapter 52 of the Acts of the General Assembly of 1888; chapter 450 of the Acts of the General Assembly of 1887-8, approved March 6, 1888; chapter 67 of the Acts of the General Assembly of 1889-90, approved February 17, 1890; chapter 167 of the Acts of the General Assembly of 1890, approved March 3, 1890; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 614 of the Acts of the General Assembly of 1891-2, approved March 3, 1892; chapter 102 of the Acts of the General Assembly of 1893-4, approved February 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 277 of the Acts of the General Assembly of 1895-6, approved February 11, 1896; chapter 101 of the Acts of the General Assembly of 1897-8, approved January 1, 1898, as amended by an act approved December 24, 1898, and by an act approved March 13, 1903; chapter 226 of the Acts of the General Assembly of 1899-1900, approved January 30, 1900, as amended by an act approved February 15, 1901; chapter 102 of the Acts of the General Assembly of 1899-1900, approved February 9, 1900, as amended by an act approved February 16, 1900; chapter 328 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 880 of the Acts of the General Assembly of 1899-1900, approved March 6, 1900; chapter 102 of the Acts of the General Assembly of 1901-2, approved January 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-2, approved April 2, 1902; section 2 of chapter 438 of the Acts of the General Assembly of 1893-4, approved February 27, 1894; chapter 346 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 689 of the Acts of the General Assembly of 1899-1900, approved March 2, 1900, and chapter 966 of the Acts of the General Assembly of 1899-1900, approved March 7, 1900.

130, House bill to provide for the removal of the Houdon



statue of Washington from the Capitol to the Library to some other place.

No. 72, House bill to amend and re-enact an act of 1836, entitled "an act to incorporate the town of Botetourt (now in Roanoke county), and the laws and ordinances thereof.

No. 199, Senate bill to amend and re-enact section 3957, Code of Virginia, as amended and re-enacted by an act of May 20, 1903, was taken up and read the first time.

Mr. BARKSDALE, from the Committee on General Laws, reported without amendment,

No. 116, House bill to amend and re-enact section 3957, Code of Virginia, as amended by an act approved February 16, 1898, and by an act approved February 9, 1900, and by an act approved February 16, 1901; section 3958 and section 3959, as amended by an act approved February 23, 1894, and by an act approved March 5, 1896, and by an act approved February 23, 1900, and by an act approved March 5, 1900, and by an act approved December 10, 1903.

No. 163, House bill to authorize and empower the supervisors of Nelson county to appropriate and contribute to the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

Mr. MASSIE moved that the Committee on County and District Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 25;

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Cromwell, Frazier, Frazier, A. C., Hutcheson, Keezell, Mann, Massie, McIlwain, Rison, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, T. Walker, Wallace and Wickham—25.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. MASSIE moved to dispense with the reading of the bill, required by section 50 of the Constitution, and that the Senate be satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Cromwell, Frazier, Frazier, A. C., Hutcheson, Keezell, Machen, Mann, Massie,

Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—27.

—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 28; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Fulton, Greear, Harman, A. C., Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—28.

—None.

Mr. MASSIE moved to reconsider the vote by which the bill was rejected, which was rejected.

On S. 274, Senate bill to validate certain orders of publication previously made without compliance with the provisions of section 142 of the Code of Virginia, as amended by an act approved December 10, 1903.

Mr. ANDERSON moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 23; nays, 3.

Members who voted are:

—Messrs. Anderson, Barksdale, Cromwell, Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hutcheson, Mann, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Turner, Walker, Wallace and Wickham—23.

—Messrs. Byars, Keezell and Tavenner—3.

On S. 190, Senate bill to amend and re-enact section 142 of an act of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 16, 1903, and to provide how social clubs chartered since April 16, 1903, may obtain license to sell ardent spirits," etc., being the special continuing order of the day, was taken up.

Mr. MCILWAINE moved to reconsider the vote by which the bill was ordered to be engrossed, which was agreed to.

Mr. MCILWAINE offered a substitute for the bill, which was agreed to.

The bill, as amended by the substitute, was then ordered to be

engrossed; and being forthwith engrossed, on his fu  
was passed, with its title, by the following vote—yeas

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Cromwell, For  
man, A. C., Harman, J. N., Hutcheson, Machen, Mann, Ma  
Opie, Phlegar, Rison, Sale, Sears, Shackelford, St. Clair, Ta  
Wallace and Wickham—24.

**NAYS**—None.

No. 71, Senate bill to amend and re-enact an act en  
to regulate the probate of wills, the appointment of  
the estates of decedents, and appointment and qualifi  
sonal representatives, guardians, curators, committees,  
of circuit courts,” approved May 15, 1903, was taken  
third time and passed, with its title, by the following vo  
nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford,  
Harman, J. N., Hutcheson, Keezell, Machen, Mann, Massie, M  
Opie, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, S  
ner, Walker, Wallace and Wickham—27.

**NAYS**—None.

No. 82, Senate bill to amend and re-enact section  
Code of Virginia, edition of 1887, in reference to th  
of the probate of wills, as amended by an act approv  
12, 1903, entitled an act to amend and re-enact section  
Code of Virginia, as amended by an act approved M  
and to amend and re-enact sections 2534 and 2538 o  
Virginia, and to amend section 2547 of the Code of  
amended by an act approved February 23, 1898, in r  
jurisdiction of the probate of wills, was taken up, r  
time and passed, with its title, by the following vo  
nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford,  
Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen,  
McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sale, Sea  
St. Clair, Tavenner, Turner, Walker, Wallace and Wickham

**NAYS**—None.

214, Senate bill to amend and re-enact section 2500 of the Code of Virginia, edition of 1887, in reference to when and where read, as amended by an act approved February 1, 1896, entitled "an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code of Virginia, as amended and re-enacted by an act approved February 1, 1890, entitled an act to amend and re-enact section 2501 of the Code of Virginia in relation to certificates of acknowledgment," was taken up, read the third time, and passed, with its title, by the following vote—yeas, 29; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Mann, Massie, Noel, Ople, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Turner, Walker, Wallace and Wickham—29.

—None.

219, Senate bill prescribing and defining the right to an attachment lien in certain cases, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 28; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Mann, Massie, Noel, Ople, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Turner, Walker and Wallace—28.

—None.

219, Senate bill to regulate the sale of flour, meal and ship stores, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 27; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Mann, Massie, Noel, Ople, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Turner, Walker and Wallace—27.

—None.

219, Senate bill to provide for lists of all persons who have paid their State poll taxes, and for posting the same, and for providing compensation therefor, with House amendments, was taken up, read the third time, and passed, with its title, by the following vote—yeas, 27; nays, 0.

up, and, on motion of Mr. SALE, the Senate concurred in the amendment by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Macher, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sale, Sears, Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

Mr. BRYANT, from the Committee on Special, Local Legislation, reported that the object of the following bill had been reached by general laws.

No. 256, Senate bill to allow the town of Front Royal to issue bonds of said town, with light, and to issue bonds of said town for said purpose, and to hold an election therefor.

The bill was taken up and referred to the Committee on City and Town Organization.

The report of the Conference Committee on No. 1 to amend and re-enact section 906 of the Code of Virginia, to repeal section 907 of the Code of Virginia, concerning a writ of habeas corpus, was taken up and Mr. PHLEGAR, adopted by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Cromwell, Ford, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Macher, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sale, Sears, Clair, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

No. 87, House bill to amend and re-enact sections of an act to amend and re-enact title 12 of the Code of Virginia in relation to the public debt, approved December 17, 1911, by unanimous consent, was taken up.

Mr. ANDERSON moved to dispense with the reading required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Byars, Chapman, Cromwell, Ford, Greear, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Massie, McIlwaine, Noel, Rison, Sale, Sears, Shackelford, St. Clair, Turner, Walker and Wallace—26.

—None.

By unanimous consent, Mr. ANDERSON offered a substitute of the Committee on Finance and Banks.

Mr. ANDERSON offered an amendment to the substitute, which was adopted.

The substitute, as amended, was then adopted.

The bill, as amended, was then passed by the following vote—yeas, 24; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Byars, Chapman, Cromwell, Ford, Greear, Harman, A. C., Harman, J. N., Hutcheson, Keezell, Machen, Massie, McIlwaine, Phlegar, Rison, Sale, Sears, Shackelford, St. Clair, Turner and Wallace—24.

—None.

On motion of Mr. ANDERSON, the title was amended.

Section 137, Senate bill to prohibit burying dead human bodies within one hundred feet of any lake, pond or reservoir used or connected with the water supply of any city or town of this State, was taken up. Mr. CROMWELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 23; nays, 0.

ators who voted are:

—Messrs. Barksdale, Byars, Chapman, Cromwell, Ford, Fulton, Greear, Harman, A. C., Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker and Wallace—23.

—None.

On motion of Mr. McILWAINE, the bill was passed by.

Section 213, Senate bill to prescribe the qualifications of voters in primary elections held under sections 581 and 585 of the Code of Virginia, as heretofore amended, and to prohibit the payment of the registration tax of voters in such elections by another than the voter

himself or the loan of money for such payment, and penalty therefor, with committee amendments, was

Mr. MANN moved to dispense with the reading required by section 50 of the Constitution, and the satisfied that an emergency exists, it was agreed to by vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Cha Ford, Fulton, Greear, Harman, A. C., Harman, J. N., Hu Machen, Mann, Massie, McIlwaine, Rison, Sale, Sears, Shack Tavenner, Turner, Walker and Wallace—26.

NAYS—None.

Mr. RISON offered an amendment to the committee which was adopted. The committee amendment, as then adopted.

Mr. PHLEGAR offered an amendment, which was

The bill, as amended, was then ordered to be engrossed forthwith engrossed, on his further motion, was passed by vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, well, Ford, Fulton, Harman, A. C., Harman, J. N., Keezel, Massie, McIlwaine, Phlegar, Rison, Sale, Sears, Shackelford enner, Turner, Walker and Wallace—25.

NAYS—None.

On motion of Mr. RISON, the title was amended.

Mr. SALE, by leave, presented

No. 278, Senate bill to amend and re-enact section Code of Virginia, as amended by an act approved 1903, entitled an act to repeal section 3043; section amended by an act approved March 3, 1896; section amended by an act approved January 18, 1888; section 3047, 3048, 3051 and 3052 of the Code of Virginia and re-enact section 3049, as amended by an act approved 1903; section 3050, section 3053, as amended by an act approved January 18, 1888; section 3054, as amended by an act approved February 28, 1898, and section 3055 of the Code of Virginia.

On his motion, the bill being partially read, it was ordered that the Committee on County, City and Town Organization

A. C. HARMAN, by leave, presented  
279, Senate bill to amend and re-enact section 1271 of the  
of Virginia.  
his motion, the bill being partially read, it was referred to  
committee on General Laws.

motion of Mr. McILWAINE, the Senate adjourned until Mon-  
day at 11 o'clock A. M.

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MONDAY, MARCH 7, 1904.

Attorney-General JOSEPH E. WILLARD in the chair.  
Journal of Saturday read by the clerk.  
Communication from the House of Delegates, by their clerk,  
read as follows:

*In House of Delegates, March 5, 1904.*

The House of Delegates has passed Senate bills entitled an act  
to establish a general road fund for the permanent improvement of  
roads and the bridges of Dinwiddie county; to create a road  
fund for Dinwiddie county and to prescribe its powers and duties;  
to provide for the appointment of a county superintendent of  
roads and to regulate his duties, No. 90.

An act to amend and re-enact section 5 of the charter of the city  
of Richmond, as amended and re-enacted by an act approved March  
1871, as amended and re-enacted by an act approved December  
1903, relating to the election of municipal officers, No. 184.

An act to amend and re-enact section 4048 of the Code of Vir-  
ginia, as amended by act approved January 2, 1904, which is chap-  
ter 53 of Acts of the extra session of 1902-1903-1904, in relation  
to offenses in cases of misdemeanor, No. 187.

An act to amend and re-enact section 3978 of the Code of Vir-  
ginia, as amended by an act approved January 2, 1904, which is  
chapter 549 of the Acts of the special session of 1902-3-4, relating  
to grand juries, No. 230.

An act to amend and re-enact section 3122 of the Code of Vir-  
ginia, as amended, No. 129.

An act to amend sections 3146 and 3147 of the Code of Virginia,  
as amended and re-enacted by an act approved December 10, 1903,



which is chapter 384 of the Acts of extra session of  
ing to juries, No. 186.

An act to amend and re-enact section 2942 of the Code of Virginia, in relation to how and when warrant tried by a justice given, and in relation to how a justice may associate with him, and whose opinion to prevail, No. 133.

An act to amend and re-enact section 2981 of the  
ing judges of circuit and corporation courts to hear  
quash attachments in vacation upon reasonable notice

An act to amend and re-enact sections 249, 253, 259 and 260 of the Code of Virginia, and an act thereof, approved January 2, 1904, in relation to the secretary of the Commonwealth and board of directors of the State Library, and concerning the State and certain other libraries.

An act to provide for the payment out of the State Treasury of the sum of \$66,604.56 for the completion of certain improvements at the State penitentiary, provided for by an act approved March 1, 1903, said sum being the balance of the appropriation of \$180,000 made by the said act, No. 241.

They have passed, with amendments, Senate bill to authorize the town of Strasburg to issue bonds n corporation taxation, and to borrow money for the p lishing water works for said town, and for other pur

They have passed House bills, entitled an act to enact section 3630 of the Code of Virginia, as amended, and an act to amend and re-enact sections 3630 and 3631 of the Code of Virginia, No. 114.

An act to amend and re-enact section 3129 of the Code of Virginia, as amended and re-enacted by an act approved March 1903, No. 115.

An act to amend and re-enact an act entitled an act to provide for the fraudulent conversion of property held under a mortgage, approved May 23, 1887, as amended by an act approved May 23, 1898, making the said act apply to the fraudulent conversion of personal property by any person who had agreed in writing to convey title or ownership of the same shall be or remain in effect until the written consent of such other, larceny, No. 122

An act to amend and re-enact section 3603 of the Code of Virginia, as amended by an act approved February 23, 1934, to proceedings by interrogatories to ascertain the estate of a debtor on which a fieri facias on a judgment may be a lien, to compel an examination of such debtor and his debtor or to include proceedings to ascertain the location of property of a debtor, a writ of possession or distringas is in the hands of the sheriff.

which amendment and bills they request the concurrence of the Senate.

105, Senate bill to authorize the town of Strasburg to issue bonds not liable to corporation taxation, and to borrow money for the purpose of establishing water works for said town, and for other purposes, with House amendment.

On motion of Mr. TAVENNER, the Senate concurred in House amendment by the following vote—yeas, 23; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Cromwell, Fulton, Garrett, Harman, A. C., Hutcheson, Keezell, Machen, Milne, Revercomb, Rison, Sears, Shackelford, St. Clair, Tavenner, Walker and Wickham—23.

—None.

114, House bill to amend and re-enact section 3630 of the Code of Virginia, as amended by an act entitled “an act to amend and re-enact sections 3630 and 3636 of the Code of Virginia, was taken up and referred to the Committee for Courts of Justice.

115, House bill to amend and re-enact section 3129 of the Code of Virginia, as amended and re-enacted by an act approved November 10, 1908, was taken up and referred to the Committee for Courts of Justice.

122, House bill to amend and re-enact an act entitled “an act in relation to fraudulent conversions of property held under trust,” approved May 23, 1887, as amended by an act approved February 14, 1898, making the said act apply to the fraudulent sale of personal property by any person who had agreed in writing that the title or ownership of the same shall be or remain in another without the written consent of such other, larceny, was taken up and referred to the Committee for Courts of Justice.

123, House bill to amend and re-enact section 3603 of the Code of Virginia, as amended by an act approved February 23, 1908, relative to proceedings by interrogatories to ascertain the assets of a debtor on which a fieri facias on a judgment may be a writ, and to compel an examination of such debtor and his debtor in chancery, so as to include proceedings to ascertain the location of property for which a writ of possession or distringas is in the hands of an officer, was taken up and referred to the Committee for Courts of Justice.

Mr. BARKSDALE, from the Committee on General Laws, reported, without amendment,

No. 111, House bill to require the State Board of examiners to preserve the examination papers of all applicants for examination.

He, from the same committee, reported, with amendments.

No. 67, House bill to prohibit the enticing away, by any person, of any laborer in employment laborers of another during their contract of service, and to prescribe public punishment and private damages therefor.

He, from the same committee, reported, with amendments, and motion that it do not pass,

No. 194, Senate bill to authorize Metta D. Matt and assigns, of Virginia Beach, Virginia, and Leo Emporia, Virginia, to erect a wharf or pier in front of Matthews' lots at Virginia Beach, Princess Anne county, known as lots ten (10) and one-half ( $\frac{1}{2}$ ) of lot nine and lot ten (10), in square number eleven (11), on the Virginia Beach property attached to and made part of a deed to Robert M. Hughes from the Norfolk and Virginia Beach Road Company, dated July 21, 1887, and recorded in the office of the county court of Princess Anne county,

And he, from the same committee, reported, with amendments.

No. 279, Senate bill to amend and re-enact section 50 of the Code of Virginia.

No. 158, House bill to authorize the city of Portsmouth to build a school house and for other purposes.

Mr. CROMWELL moved that the Committee on Commerce and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cameron, Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., H. Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, R. Shands, St. Clair, Tavenner, Turner, Walker and Wickham.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. CROMWELL moved to dispense with the reading of the bill, required by section 50 of the Constitution, and that the Senate be satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, ell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, ears, Shackelford, Tavenner, Turner, Walker and Wickham—29.

—None.

his further motion the bill was then passed, with its title, by following vote—yeas, 30; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, ell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, a, Mann, Massie, McIlwaine, Opie, Phlegar, Revercomb, Rison, Sale, Shackelford, St. Clair, Tavenner, Turner, Walker and Wickham—30.

—None.

. CROMWELL moved to reconsider the vote by which the bill passed, which was rejected.

. 161, Senate bill to authorize the board of supervisors of the y of Henrico to levy taxes on dogs in said county and to pro- for the collection of the same.

. BRYANT moved that the Committee on County, City and a Organization be discharged from further consideration of ill, which was agreed to by the following vote—yeas, 32; 0.

ators who voted are:

s—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, well, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, ll, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Revercomb, Rison, r, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and ham—32.

rs—None.

. 165, House bill for working and keeping in repair the public s and bridges in the county of Buckingham, and to levy a capi- n tax in connection therewith.

r. OPIE moved that the Committee on County, City and Town anization be discharged from further consideration of the bill, ch was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Carr, Cromwell, Ford, Garrett, Greear, Harman, A. C., Hobbs, H. Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Revercon, Sears, Shackelford, St. Clair, Tavenner, Turner and Wickham—28.

NAYS—None.

No. 225, Senate bill to amend and re-enact section entitled "an act to provide a new charter for the town of Bedford to extend its limits, and change the name to Bedford," approved March 3, 1890.

Mr. CAMPBELL moved that the Committee on County and Town Organization be discharged from further consideration of the bill, which was agreed to by the following yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, H. Machen, Mann, Massie, McIlwaine, Opie, Rison, Sadler, Sears, St. Clair, Tavenner, Turner, Walker and Wickham—28.

NAYS—None.

Mr. McILWAINE, from the Committee for Courts and Judges, reported, without amendments,

No. 243, Senate bill to authorize juries in the county to punish with death any person convicted of maliciously setting on fire the night time any barn, stable, shed or other building containing live stock in event such live stock be burned.

He, from the same committee, reported, without amendments,

No. 50, House bill to allow the street mileage of the town of Chase City, county of Mecklenburg, Virginia, to be paid out of the mileage of county public roads, and to receive its proportion of county road levy.

He, from the same committee, reports, with recommendations, that it do not pass,

No. 88, House bill to amend and re-enact section 1000 of the Code of Virginia, so as to provide for the punishment of persons who commit crimes after the fact.

He, from the same committee, reported, without amendments,

No. 175, House bill to amend and re-enact section 1000 of the Code of Virginia by an act approved December 10, 1903.

He, from the same committee, reported, without amendments,

No. 180, House bill to amend and re-enact section 1000 of the Code of Virginia by an act approved December 10, 1903.

of Virginia, as amended and re-enacted by an act approved May 11, 1904.

. 244, Senate bill to amend and re-enact section 2 of an act passed March 2, 1898, entitled an act to authorize the board of supervisors of Floyd county to let to contract public roads of that county, and levy tax to keep the same in repair, and to amend section 3 of said act as heretofore amended.

. TURNER moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 29; nays, 0.

Members who voted are:

Y—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, St. Clair, Tavenner, Turner, Walker and Wickham—29.

N—None.

By unanimous consent, on motion of Mr. NOEL, the bill was passed.

. NOEL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, 0.

Members who voted are:

Y—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—31.

N—None.

The bill was then ordered to be engrossed; and being forthwith read, on his further motion, was passed, with its title, by the following vote—yeas, 34; nays, 0.

Members who voted are:

Y—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—34.

N—None.

Mr. BYARS, by unanimous consent, presented  
No. 280, Senate bill to amend and re-enact section 62  
entitled an act to provide a new charter for the city of B  
ginia, approved March 5, 1900.

On his motion, the bill being partially read, it was refe  
Joint Committee on Special, Private and Local Legisla

Mr. SADLER, by unanimous consent, presented  
No. 281, Senate bill to validate certain records and p  
of the Circuit Court of Chesterfield county.

On his motion, the bill being partially read, it was refe  
Joint Committee on Special, Private and Local Legisla

Mr. SADLER moved that the Joint Committee on Specia  
and Local Legislation be discharged from further consid  
the bill, which was agreed to by the following vote—  
nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell  
Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs,  
Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar,  
Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Tur  
and Wickham—33.

NAYS—None.

The bill was referred to the Committee on County,  
Town Organization.

Mr. SADLER moved that the Committee on County,  
Town Organization be discharged from further considerat  
bill, which was agreed to by the following vote—yeas, 32

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell  
Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs,  
Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar,  
Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner,  
Walker—32.

NAYS—None.

Mr. SADLER moved to dispense with the printing and  
the bill, as required by section 50 of the Constitution, an  
ate being satisfied that an emergency exists, it was agreed  
following vote—yeas, 31; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner and Walker—31.

—None.

The bill was then ordered to be engrossed; and being forthwith passed, on his further motion, was passed, with its title, by the following vote—yeas, 34; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—34.

—None.

On his further motion, he was ordered to inform the House of the results thereof.

St. CLAIR, by unanimous consent, presented

Senate bill to permit hunting and killing of snipe in the county of Wythe.

On his motion, the bill being partially read, it was referred to the Committee on Special, Private and Local Legislation.

Senate bill to amend and re-enact section 14 of chapter 273, an act entitled an act concerning corporations, as amended by Senate bill to amend and re-enact section 14 of chapter 1 of an act entitled "an act concerning corporations," which became a law May 1903.

Mr. ANDERSON moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was carried by the following vote—yeas, 27; nays, 0.

ators who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Harman, A. C., Hobbs, Hutcheson, Keezell, Mann, Massie, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—27.

—None.

Senate bill to allow the town of Front Royal to supply



said town, the inhabitants thereof, and the inhabitants in the city of said town, with light, and to issue bonds of said town to effect said purpose, and to hold an election therefor.

Mr. FULTON moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Cromwell, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Hutcheson, Keen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—32.

NAYS—None.

No. 166, Senate bill to amend and re-enact section 406 of the Code of Virginia, in relation to hangings.

Mr. HOBBS moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Harman, A. C., Hobbs, Mann, Massie, McIlwaine, Noel, Ople, Revercomb, Rison, Sadler, Sale, Shackelford, Tavenner, Turner, Walker and Wallace—27.

NAYS—None.

Mr. HOBBS moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was rejected by the following vote—yeas, 12; nays, 3.

Senators who voted are:

YEAS—Messrs. Barksdale, Hobbs, Mann, Massie, Revercomb, Sale, St. Clair, Tavenner, Turner, Walker and Wallace—12.

NAYS—Messrs. McIlwaine, Noel and Wickham—3.

Mr. WICKHAM moved that the Senate adjourn, which was agreed to by the following vote—yeas, 27; nays, 0.

Mr. HOBBS moved to dispense with the reading of the bill.

and by section 50 of the Constitution, and the Senate being  
 and that an emergency exists, it was agreed to by the following  
 yeas, 22; nays, 4.

ators who voted are:

—Messrs. Barksdale, Byars, Cromwell, Garrett, Gunter, Harman, A.  
 bs, Keezell, Machen, Mann, Massie, McIlwaine, Revercomb, Sadler,  
 ears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wal-

—Messrs. Ford, Fulton, Phlegar and Wickham—4.

Senate then refused to engross the bill.

151, Senate bill to authorize the county of Norfolk to ac-  
 the toll roads and toll bridges in said county and to issue  
 for that purpose, with committee substitute.

unanimous consent, on motion of Mr. CROMWELL, the bill was  
 up.

CROMWELL moved to dispense with the reading of the bill, as  
 and by section 50 of the Constitution, and the Senate being  
 and that an emergency exists, it was agreed to by the following  
 yeas, 28; nays, 0.

ators who voted are:

—Messrs. Barksdale, Bryant, Chapman, Cromwell, Fulton, Garrett,  
 Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann,  
 McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sears, Shack-  
 St. Clair, Tavenner, Walker, Wallace and Wickham—28.

—None.

committee substitute was adopted.

bill, as amended, was then ordered to be engrossed; and being  
 with engrossed, on his further motion, was passed, with its  
 y the following vote—yeas, 31; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
 ll, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutche-  
 ezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison,  
 Sale, Shackelford, St. Clair, Tavenner, Turner, Walker and Wick-  
 l.

—None.

building and plant to furnish heat, light and power to the Governor's mansion, the State Library building and the State Capitol building, and to permit the removal of the heat and power plants now in the Capitol building, being the special and continuing order of the Senate taken up, and, on motion of Mr. ANDERSON, passed by unanimous vote, March 8, 1904, at 11:15 o'clock A. M.

The hour of 5:30 o'clock having arrived, the chair was taken until 8 o'clock P. M.

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## NIGHT SESSION.

MONDAY, MARCH 7, 1904.

Lieutenant-Governor JOSEPH E. WILLARD, in the chair.  
No. 226, Senate bill to amend and re-enact section 82 of the Code of Virginia, as amended and re-enacted by an act entitled "An act to amend and re-enact sections 826, 831, 832, 833, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903."

By unanimous consent, the bill was taken up.

Mr. TAVENNER moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Marshall, Ople, Phlegar, Rison, Sadler, St. Clair, Tavenner, Turner and W.

NAYS—None.

Mr. TAVENNER offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and, forthwith engrossed, on his further motion, was passed, with the title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, well, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell

o. 269, Senate bill to amend and re-enact section 273 of the Code of Virginia, in relation to the duties of the Superintendent of Public Printing.

o. 91, House bill, in relation to the commitment of minors to the Prison Association of Virginia, their custody therein, the compensation for, and expenses of such custody, and their discharge therefrom.

o. 116, Senate bill to amend and re-enact section 2462 of the Code of Virginia, as amended by an act approved February 23, 1902, relating to the sale of goods and chattels in certain cases.

o. 175, Senate bill to amend and re-enact sections 3340 and 3341 of the Code of Virginia, so as to allow the contents of any instrument which has been filed in any county, circuit or corporation court, or in the clerk's office, to be proved before a commissioner; and to authorize the judges of circuit and corporation courts to make such orders in vacation as may be necessary to secure to persons seeking to prove the contents of any will, deed or other paper which has been filed in the clerk's offices of said courts, or of the county courts, or recorded in any book therein, and which is lost or illegible, the benefits thereof.

o. 241, Senate bill to provide for the payment out of the State Treasury of the sum of \$66,604.46 for the completion of certain buildings of the State penitentiary, provided for by an act approved April 2, 1902, said sum being the balance of the appropriation of \$180,000 made by the said act.

o. 12, House bill to establish a dispensary for the sale of intoxicating liquors in the town of Pulaski, in the county of Pulaski, Virginia; to prohibit all persons, firms, corporations to sell, barter or exchange such liquor in said town, and to repeal all laws in conflict with this act, so far as they apply to said town.

o. 16, Senate bill to amend and re-enact section 2981 of the Code, empowering judges of circuit and corporation courts to hear and quash attachments in vacation upon reasonable notice.

o. 73, Senate bill to amend and re-enact sections 249, 253, 254, 258, 259 and 260 of the Code of Virginia, and an act amendatory thereof, approved January 2, 1904, in relation to the duties of the Secretary of the Commonwealth and board of directors of the State Library, and concerning the State and certain other libraries.

o. 230, Senate bill to amend and re-enact section 3978 of the Code of Virginia, as amended by an act approved January 2, 1904,

which is chapter 549 of the Acts of the special session relating to grand juries.

No. 133, Senate bill to amend and re-enact section Code of Virginia, 1887, in relation to how and when and judgment given, and in relation to how a justice and justices with him, and whose opinion to prevail.

No. 129, Senate bill to amend and re-enact section Code of Virginia, as amended.

No. 6, House bill to provide the establishment, protection and permanent improvement of the public roads for building and keeping in good order and repair roads, bridges, causeways and wharves in the several counties of this State, being the special and continuing order of the hour of 12:30 o'clock having arrived, was taken up.

Mr. SHACKELFORD offered an amendment, which was adopted.

Mr. CAMPBELL offered an amendment, which was adopted.

Mr. SADLER offered an amendment, which was rejected.

Mr. WALKER offered amendments, which were adopted.

The hour of 2 o'clock having arrived, the chair was taken up at 3:30 o'clock P. M.

## EVENING SESSION.

MONDAY, MARCH 7, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

No. 6, House bill to provide the establishment, protection and permanent improvement of the public roads for building and keeping in good order and repair roads, bridges, causeways and wharves in the several counties of this State, being the special and continuing order of the hour of 12:30 o'clock having arrived, was taken up.

Mr. CAMPBELL offered an amendment, which was adopted.

Mr. RISON offered an amendment, which was adopted.

Mr. SHACKELFORD offered an amendment, which was adopted.

Mr. SHACKELFORD offered the following amendments: In line 6, after 'exceed,' strike out all down to, and include in line 7. Line 8, same section, strike out the words 'having a larger population,' which was adopted by a vote—yeas, 18; nays, 13.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Fulton, Gunter, Hobbs, Keezell, Machen, Mann, Massie, Revercomb, Sadler, Shackelford and Walker—18.

NAYS—Messrs. Chapman, Ford, Garrett, Harman, A. C., Hutcheson, Noel, Phlegar, Rison, St. Clair, Tavenner and Wallace—13.

Mr. TAVENNER offered an amendment, which was adopted.

Several committee amendments were adopted.

Mr. PHLEGAR offered a substitute for a committee amendment, which was adopted.

Mr. RISON offered an amendment to the committee amendment, as amended, which was rejected.

Mr. TAVENNER offered an amendment, which was adopted.

Mr. PHLEGAR offered an amendment, which was adopted.

Mr. BYARS offered an amendment.

Mr. WALKER offered a substitute for the amendment, which was adopted.

The amendment, as amended, was then adopted.

Mr. WALKER offered an amendment, which was adopted.

Mr. TAVENNER offered an amendment, which was adopted.

The bill, as amended, was then passed by the following vote: Yeas, 28; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker and Wallace—28.

NAYS—Mr. Bryant—1.

On motion of Mr. PHLEGAR, the title was amended.

Mr. SHACKELFORD moved to reconsider the vote by which the bill was passed, which was rejected.

A message was received from the House of Delegates by Mr. Cox, who informed the Senate that that House had passed

No. 198, House bill to authorize the State Corporation Commission to recall assessments made and not to further assess building and loan associations or companies with State franchise tax for the year 1904.

The bill was taken up and referred to the Committee on Finance and Banks.

No. 20, Senate bill to appropriate \$25,000 for the erection of a

building and plant to furnish heat, light and power to the Governor's mansion, the State Library building and the State Capitol building, and to permit the removal of the heat and power plants from the Capitol building, being the special and continuing order of the Senate taken up, and, on motion of Mr. ANDERSON, passed by yeas 23, March 8, 1904, at 11:15 o'clock A. M.

The hour of 5:30 o'clock having arrived, the chair was taken until 8 o'clock P. M.

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### NIGHT SESSION.

MONDAY, MARCH 7, 1904.

Lieutenant-Governor JOSEPH E. WILLARD, in the chair, took up Senate No. 226, Senate bill to amend and re-enact section 826 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly to amend and re-enact sections 826, 831, 832, 833, 836, 838, 840, 841, 846, 847, 849 and 850, and to re-enact section 839 of the Code of Virginia, approved December 31, 1903.

By unanimous consent, the bill was taken up.

Mr. TAVENNER moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by yeas 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Chapman, Cromwell, Forrest, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Opie, Phlegar, Rison, Sadler, St. Clair, Tavenner, Turner and

NAYS—None.

Mr. TAVENNER offered an amendment, which was adopted. The bill, as amended, was then ordered to be engrossed and forthwith engrossed, on his further motion, was passed on its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, K

nn, Massie, Phlegar, Rison, Sadler, St. Clair, Tavenner, Turner and Wallace—23.

YAYS—None.

No. 137, Senate bill to prohibit burying dead human bodies within two hundred feet of any lake, pond or reservoir used or connected with the water supply of any city or town of this State. The bill was taken up and ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Rison, Sadler, St. Clair, Tavenner, Turner and Wallace—23.

NAYS—None.

On motion of Mr. A. C. HARMAN, the title was amended.

No. 37, House bill to extend the terms of commissioners of accounts and to authorize them to complete such accounts as are now before them for settlement, and return them to their respective circuit courts, was taken up, read the third time and passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner, Turner and Wallace—25.

NAYS—None.

No. 76, Senate bill authorizing the board of supervisors of Patrick and Grayson counties to levy a capitation tax for school or other county purposes, was taken up and read the third time.

By unanimous consent, Mr. GREEAR offered an amendment, which was adopted.

The bill, as amended, was then passed, with its title, by the following vote—yeas, 24; nays, 2.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Machen, Mann,



Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Wallace—24.

NAYS—Messrs. Keezell and St. Clair—2.

Mr. HOLT, by unanimous consent, presented

No. 283, Senate bill to amend and re-enact an act to amend and re-enact article ten of an act to incorporate the town of Pocahontas, in Elizabeth City county, approved April 22, 1900," and amended by an act approved April 2, 1901.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. GARRETT, by leave, presented

No. 284, Senate bill to amend and re-enact section 1287 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved December 12, 1900.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

No. 55, House bill to repeal sections 1287, 1288, 1289, 1290, 1291; section 1292, as amended by an act approved March 1, 1901; sections 1293 and 1294 of the Code of Virginia, was taken up and read the second time.

By unanimous consent, Mr. BARKSDALE moved to discontinue the reading of the bill, as required by section 50 of the Code of Virginia, and the Senate being satisfied that an emergency existed, agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chandler, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner and Wallace—25.

NAYS—None.

On his further motion, the bill was then passed, with amendments, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chandler, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Machen, Mann, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Turner and Wallace—25.

NAYS—None.

No. 144, Senate bill to amend and re-enact sections 1528, 1531 and 1538 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 67 of the Code of Virginia, in relation to public free schools in cities and towns constituting separate school districts," approved December 1903, was taken up.

Mr. TAVENNER offered the following amendment: "Provided, nothing in this act shall be construed as repealing an act entitled 'an act to repeal section 7, chapter 79, of the Code of 1873, and to regulate the appointment of school trustees in cities and incorporated towns of five thousand inhabitants and over,' approved March 4, 1884, in so far as it affects the city of Winchester," which was adopted by the following vote—yeas, 12; nays, 11.

Senators who voted are:

YEAS—Messrs. Barksdale, Fulton, Greear, Holt, Machen, Mann, Massie, Phlepp, Rison, Sears, Tavenner and Wallace—12.

NAYS—Messrs. Anderson, Bryant, Campbell, Ford, Gunter, Harman, A. C., Keezell, Sadler, Shackelford, St. Clair and Turner—11.

On motion of Mr. ANDERSON, the bill was passed by.

No. 104, Senate bill to provide for evidence of the prepayment of state poll taxes by voters transferred from one city or county to another city or county, was taken up.

Mr. MANN offered amendments, which were adopted.

The bill was then ordered to be engrossed and read a third time, and being forthwith engrossed, was passed, with its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlepp, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner and Wallace—23.

NAYS—None.

No. 224, Senate bill to amend and re-enact section 3527 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 3527 of the Code of Virginia, in relation to payment of fees to officers out of the treasury in criminal cases, approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898, with committee amendment, was taken up and read the second time.

No. 116, House bill to amend and re-enact section 39 Code of Virginia, as amended by an act approved February 1898, and by an act approved February 9, 1900, and by an act approved February 16, 1901; section 3958 and section 3959 as amended by an act approved February 23, 1894, and by an act approved March 5, 1896, and by an act approved February 1900, and by an act approved March 5, 1900, and by an act approved December 10, 1903, was taken up.

Mr. BARKSDALE moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mack, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Turner and Wallace—25.

NAYS—None.

On his further motion, the bill was then passed, with its amendments, the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Phlegar, Rison, Sadler, Sears, Shackelford and St. Clair—21.

NAYS—None.

Mr. BARKSDALE moved to reconsider the vote by which the bill was passed, which was rejected.

No. 137, House bill to amend and re-enact sections 607 and 608 of the Code of Virginia, in relation to lists of property, etc., for the purpose of levying a tax, was taken up.

Mr. KEEZELL moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mack, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Turner and Wallace—24.

Seale, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Turner and Wallace—24.

AYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Turner and Wallace—22.

AYS—None.

The following House bills were taken up and read the first time:  
No. 135, House bill to exempt persons conducting temporary lodging or lodging houses, horse-lots and confectioneries at religious gatherings from license tax.

No. 155, House bill for the relief of corporations from excessive erroneous charter fees.

No. 136, House bill to amend and re-enact section 637 of the Code of Virginia, as amended by an act entitled "an act to amend and re-enact section 637 of the Code of Virginia, in relation to clerks delivering to treasurers copy of list of delinquent real estate; treasurers to post the same, with notice of sale of lands, for taxes, levies, etc., attached," approved February 23, 1894, was taken up.

Mr. KEEZELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner and Turner—23.

NAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 22; nays, 0.

## Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Camford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Phlegar, Rison, Sadler, Sears, Tavenner, Thomas and Turner.

NAYS—None.

The following Senate bills were taken up and read

No. 140, Senate bill to amend and re-enact section entitled an act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved May 20, 1903, entitled an act to amend and re-enact chapter 9 of the Code of Virginia of 1887, relating to the election of State, county, district and city officers, and filling vacancies, approved May 18, 1903.

No. 131, Senate bill to incorporate and provide a charter for the town of Damascus, Virginia.

No. 109, Senate bill to amend, revise and re-enact sections 26 and 28 of the charter of the town of Pocahontas, Virginia.

No. 222, Senate bill to amend and re-enact section 3916, Code of Virginia of 1887, relating to chain-gangs, and to provide work in them, as amended and re-enacted by an act of the General Assembly, December 24, 1903, entitled an act to amend and re-enact sections 3916, 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia.

No. 115, Senate bill to authorize and empower the Board of Supervisors of the town of Pocahontas, Virginia, to sell a strip of eight feet on the east side of Centre street, from St. Clair street to Washington Philadelphia Row, in order to straighten said Centre street, to make same of uniform width and to provide that the proceeds from same shall go to the benefit of the public school of said town.

No. 170, Senate bill to authorize the judge of the Superior Court of Goochland county to appoint a board of county road commissioners for Goochland county, and to define their duties in relation to working the public roads of said county, and to provide for a county road levy necessary therefor, was taken up.

Mr. SADLER moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by yeas—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas and Turner—22.

NAYS—None.

Mr. SADLER offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas and Turner—23.

NAYS—None.

No. 207, Senate bill to amend and re-enact section 131 of an act entitled an act to provide a new charter for the city of Bristol, approved March 5, 1900, and to repeal sections 132 and 133 thereof, was taken up.

Mr. BYARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas and Turner—24.

NAYS—None.

The bill was then ordered to be engrossed.

No. 201, Senate bill to authorize the town of Onancock, in the county of Accomac, Virginia, to borrow money, was taken up.

Mr. GUNTER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, gar, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas and

**NAYS**—None.

The bill was ordered to be engrossed.

Mr. RISON, by unanimous consent, presented

No. 285, Senate bill to repeal an act approved February 18, 1891, entitled "an act to work and keep in order the public county of Pittsylvania."

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. RISON moved that the Joint Committee on Special and Local Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, gar, Rison, Sadler, Sears, Tavenner, Thomas and Turner—22.

**NAYS**—None.

No. 288, Senate bill to prescribe the jurisdiction of the supervisors in matters pertaining to county roads, toll roads, ferries and mills, was taken up.

Mr. FULTON moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, gar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Turner—24.

**NAYS**—None.

No. 203, Senate bill to protect pheasants or grouse in the counties of Accomac and Northampton, was taken up.

Mr. GUNTER moved to dispense with the reading of the bill.

quired by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlemer, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Thomas and Turner—24.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlemer, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Thomas and Turner—24.

NAYS—None.

No. 200, Senate bill to authorize the board of fisheries to procure for use in its office a complete list of persons holding oyster planting ground by assignment of record in the clerk's offices, and the number of acres held by each, and the number of acres occupied for oyster planting not of record in said clerk's offices, was taken up.

Mr. KEEZELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlemer, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Thomas and Turner—24.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 24; nays, 0.



Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, For Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mas gar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Tho Turner—24.

NAYS—None.

No. 246, Senate bill to extend the powers and duties of t of fisheries, was taken up.

Mr. KEEZELL moved to dispense with the reading of the required by section 50 of the Constitution, and the Sena satisfied that an emergency exists, it was agreed to by the f vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, For Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mas gar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Tho Turner—24.

NAYS—None.

The bill was then ordered to be engrossed; and being f engrossed, on his further motion, was passed, with its title following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, For Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mas gar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Tho Turner—24.

NAYS—None.

No. 202, Senate bill to amend and re-enact chapter 536, Assembly 1902-1903-1904, approved December 31, 1903, an act to authorize parties planting oysters on ground rent the State to erect piers, docks or watch-houses on the same, w mittee substitute, was taken up.

Mr. GUNTER moved to dispense with the reading of the required by section 50 of the Constitution, and the Senat satisfied that an emergency exists, it was agreed to by the f vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner, Thomas and Turner—24.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—24.

NAYS—None.

The committee amendment to the title was adopted.

No. 208, Senate bill to amend and re-enact section 2689 of the Code of Virginia of 1887, in relation to resignation by fiduciary of his trust, was taken up.

Mr. CAMPBELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—24.

NAYS—None.

Mr. CAMPBELL offered amendments, which were adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen,

Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tave-  
Turner—24.

NAYS—None.

No. 209, Senate bill to amend and re-enact section 2701 Code of Virginia of 1887, in relation to proceedings by leg-  
distributees to compel creditors to show cause against dis-  
of estate, their liability to refund in such case, was taken up.

Mr. CAMPBELL moved to dispense with the reading of the  
required by section 50 of the Constitution, and the Sena-  
satisfied that an emergency exists, it was agreed to by the f-  
vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell,  
Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C. Holt, Keezel,  
Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tave-  
Turner—24.

NAYS—None.

Mr. CAMPBELL offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed;  
ing forthwith engrossed, on his further motion, was passed.  
title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell,  
Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C. Holt, Keezel,  
Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tave-  
Turner—24.

NAYS—None.

No. 211, Senate bill to amend and re-enact sections 2699  
2702 and 2703 of the Code of Virginia of 1887, in relation  
firmation of fiduciary accounts, and the investment, paymen-  
tribution of money in hands of fiduciary, was taken up.

Mr. CAMPBELL moved to dispense with the reading of the  
required by section 50 of the Constitution, and the Sena-  
satisfied that an emergency exists, it was agreed to by the  
vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell,

rd, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—24.

NAYS—None.

Mr. CAMPBELL offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—23.

NAYS—None.

No. 227, Senate bill to amend and re-enact section 832 of the Code of Virginia, as amended and re-enacted by an act entitled “an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, was taken up.

Mr. TAVENNER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—23.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—22.

NAYS—None.

No. 162, Senate bill to amend and re-enact section 613, article 27 of the Code of Virginia, entitled "collection of taxes," committee substitute, was taken up.

Mr. BARKSDALE moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Massie, Phlegar, Rison, Sadler, Sears, Shackelford, St. Clair, Tavenner and Turner—23.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was ordered to be engrossed.

No. 196, Senate bill to amend section 43 of an act entitled "An act to raise revenue for the support of the government and to provide for free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 18 of the Constitution," approved April 16, 1903, as amended by an act approved February, 1904, was taken up.

Mr. KEEZELL moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Gunter, Harman, Holt, Keezell, Massie, Phlegar, Sadler, Sears, Shackelford and St. Clair—21.

NAYS—None.

The bill was then ordered to be engrossed; and being so engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Phlegar, Rison, Sadler, Shackelford, St. Clair, Tavenner and Turner—22.

NAYS—None.

ors who voted are:

Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlemin, Sadler, Shackelford, St. Clair and Tavenner—20.

None.

otion of Mr. MASSIE the Senate adjourned until to-morrow  
clock A. M., by the following vote—yeas, 19; nays, 1.

ors who voted are:

Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlemin, Sadler, St. Clair and Tavenner—19.

Mr. Shackelford—1.

TUESDAY, MARCH 8, 1904.

ent *pro tem*. HENRY T. WICKHAM in the chair.

al of yesterday read by the Clerk.

ommunication from the House of Delegates, by their clerk,  
as follows:

*In House of Delegates, March 7, 1904.*

House of Delegates has agreed to the report of the committee  
rence on the disagreeing votes of the two Houses, on House  
led an act to amend and re-enact section 906 of the Code of  
and to repeal section 907 of the Code of Virginia, concern-  
erty levied on or distrained by an officer, No. 112.

have agreed to the amendments proposed by the Senate to  
ills entitled an act to amend and re-enact sections 420 and  
n act to amend and re-enact title 12 of the Code of Virginia,  
on to the public debt, approved December 17, 1903, No. 87.  
t to create a road board for the county of Fauquier, and to  
for the working of the roads of said county, No. 166.  
t to provide for the extension of the corporate limits of cities  
as, No. 64.

have refused to concur in the amendments proposed by the  
o House bill entitled an act to amend and re-enact an

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Phlegar, Rison, Sadler, Shackelford, St. Clair and Tavenner.

NAYS—None.

No. 274, Senate bill to validate certain orders heretofore made without compliance with the provisions of section 3231 of the Code of Virginia, as amended by an act of the General Assembly of September 10, 1903, was taken up.

Mr. ANDERSON moved to dispense with the reading of the bill required by section 50 of the Constitution, and that the Senate be satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Phlegar, Rison, Sadler, Shackelford, St. Clair and Tavenner.

NAYS—None.

Mr. ANDERSON offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed and to go forthwith engrossed, on his further motion, was adopted by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Rison, Sadler, Shackelford, St. Clair, Tavenner and Turner.

NAYS—None.

No. 265, Senate bill to amend and re-enact chapter 10 of the Acts of the General Assembly, extra session 1902-1903, "an act to amend and re-enact section 60, chapter 10 of the city of Portsmouth, in relation to city officers."

Mr. KEEZELL moved that the Committee on City and Town Organization be discharged from further consideration of the bill, which was rejected by the following vote—yeas, 19; nays, 12.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Hutton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlepp, Rison, Sadler, Shackelford, St. Clair and Tavenner—20.

NAYS—None.

On motion of Mr. MASSIE the Senate adjourned until to-morrow 11 o'clock A. M., by the following vote—yeas, 19; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Hutton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlepp, Rison, Sadler, St. Clair and Tavenner—19.

NAYS—Mr. Shackelford—1.

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## TUESDAY, MARCH 8, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

### *In House of Delegates, March 7, 1904.*

The House of Delegates has agreed to the report of the committee of conference on the disagreeing votes of the two Houses, on House bill entitled an act to amend and re-enact section 906 of the Code of Virginia and to repeal section 907 of the Code of Virginia, concerning property levied on or distrained by an officer, No. 112.

They have agreed to the amendments proposed by the Senate to House bills entitled an act to amend and re-enact sections 420 and 421 of an act to amend and re-enact title 12 of the Code of Virginia, in relation to the public debt, approved December 17, 1903, No. 87.

An act to create a road board for the county of Fauquier, and to provide for the working of the roads of said county, No. 166.

An act to provide for the extension of the corporate limits of cities and towns, No. 64.

They have refused to concur in the amendments proposed by the Senate to House bill entitled an act to amend and re-enact an



act approved December 3, 1903, entitled "an act to amend section 753 of the Code of Virginia as amended and by an act entitled an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories, approved March 3, 1900, as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, relating to State depositories, approved March 15, 1902, and as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories, approved April 2, 1902," No. 2.

They have passed Senate bills entitled an act to authorize the city of Roanoke to donate or sell real estate owned by it to another city, No. 92.

An act to amend and re-enact sections 1433, 1437, 1443, 1450, 1454, 1459, 1466, 1484 and 1515 of the Code of Virginia, as amended by an act entitled an act to amend and re-enact section 1466 of the Code of Virginia, relating to public free schools, and to the literary fund, approved December 28, 1903.

An act to authorize the town of Salem and the county of either of them, to appropriate money for the purpose of the location of a State Female Normal School at or near Salem, and to authorize the issue of bonds in connection with, No. 149.

An act to punish the wilful or malicious taking or removal of the waste or packing from out any journal-box or boxes, of any motive, engine, tender, carriage, coach, car, caboose, or truck operated upon any railroad, whether the same be operated by steam or electricity, No. 236.

They have passed with an amendment Senate bill entitled an act to require any person, firm or corporation employing laborers, constructing works of public improvement, to have the same regularly inspected by the board of health of the counties in which they are located, No. 108.

An act making it a misdemeanor to desert, without just cause, wilfully neglect to provide for the support and maintenance of a person of his wife or minor children in destitute or needy circumstances, and to provide a penalty therefor, No. 113.

They have passed House bills entitled an act to amend and re-enact section 848 of the Code of Virginia, as amended and by an act approved March 1, 1898, entitled an act to amend and re-enact section 848 of the Code of Virginia relating to the compensation of supervisors, as amended and re-enacted by an act approved March 2, 1892, as amended and re-enacted by an act approved February 26, 1894, as amended and re-enacted by an act approved March 5, 1894; as amended and re-enacted by an act

bruary 13, 1896, as amended and re-enacted by an act approved  
bruary 14, 1896, as amended and re-enacted by an act approved  
cember 13, 1897, as amended and re-enacted by an act approved  
arch 1, 1898, as amended and re-enacted by an act approved  
arch 6, 1900, fixing the per diem and mileage of supervisors in  
ertain counties of the State, No. 71.

An act to amend and re-enact section 3888 of the Code of Vir-  
inia, as amended and re-enacted by Acts of Assembly, session 1893-  
94, in relation to "how attempts to commit offences punished,"  
o. 110.

An act to amend and re-enact section 2844 of the Code of Vir-  
inia, as amended and re-enacted by an act entitled an act to amend  
d re-enact section 2844 of the Code of Virginia, in relation to  
ublic holidays, approved February 28, 1890, as amended and re-  
enacted by an act entitled an act to amend and re-enact section  
844 of the Code of Virginia, as amended and re-enacted by an act  
amend section 2844 of the Code of Virginia, in relation to public  
olidays, approved February 5, 1896, as amended and re-enacted  
y an act to amend section 2844 of the Code of Virginia, in rela-  
on to public holidays, approved February 19, 1896, as amended  
d re-enacted by an act entitled an act to amend section 2844 of the  
ode of Virginia, in relation to public holidays, approved April 2,  
902, No. 170.

An act to amend and re-enact section 3385 of the Code of Vir-  
inia relating to bills of exception, No. 177.

An act to amend section 3049 of the Code of Virginia, as amended  
y an act approved March 5, 1894, as further amended by an act  
approved May 20, 1903, and by an act approved December 12, 1903,  
nd as further amended by an act approved January 12, 1904, No.  
79.

An act appointing a commission to delineate the positions of the  
Botetourt (Virginia), artillery in the campaign and defense of  
Vicksburg, Miss.; and to erect in the Vicksburg National Military  
Park a memorial tablet to the deeds and services of said company,  
and appropriating \$200.00 therefor, No. 182.

An act extending the time of the assessment and payment of the  
franchise tax on corporations for the year 1904, No. 183.

An act authorizing Prison Association of Virginia to expend  
in certain improvements and in the installation, equipment and con-  
duct of its Sloyd Manual Training School, the sum of \$7,223.48, in  
its possession, being balance of \$9,100.00, appropriated to it under  
act approved April 2, 1902, appropriating the public revenues for  
the fiscal years ending, respectively, on April 30, 1902, and April  
30, 1903, No. 185.

An act to amend and re-enact chapter 330 of the Acts of the General Assembly, session of 1869-'70, in relation to the care and management of certain "poor funds" in Nansemond county, No. 188.

An act to allow the council of the town of Onancock to levy an additional capitation tax for the aid of the public schools of the town, or for such town purposes as the town council shall determine, No. 189.

An act to allow David Lowe to erect a wharf and marina on Pagan river, county of Isle of Wight, Virginia, No. 190.

An act to amend and re-enact section 2 of the charter of the town of Fairmount, Henrico county, No. 191.

An act to provide a new charter for the town of Vinton, county of Roanoke, No. 192.

An act to amend and re-enact sections 3 and 4 of an act to incorporate the town of Cape Charles, in the county of Northampton, approved March 1, 1886, as amended by an act approved February 12, 1892, as amended by an act approved December 20, 1895, as amended by an act approved February 17, 1900, as amended by an act approved March 28, 1902, and to establish a uniform date of election and term of office for the mayor and councilmen of said town, No. 193.

An act to amend and re-enact section 3059 of the Code as amended by an act approved December 26, 1903, entitled an act to amend and re-enact sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3061 of the Code as heretofore amended, and as further amended by an act approved February 23, 1904, in so far as the same apply to the 5th, 7th, 13th, 15th, 20th and 31st judicial circuits, No. 194.

An act to amend and re-enact an act approved January 1, 1890, entitled "an act to provide for the release of contracts for the sale of personal property, docketed under section 2462 of the Code of Virginia, approved 28th day of February, 1890," No. 199.

An act to amend and re-enact section 2 of an act entitled "an act to provide for the appointment of police justices and their duties in cities of a population of ten thousand and over, in which the terms of their charters, no provision is made for the election or appointment of police justices," approved December 3, 1903, No. 204.

An act to amend and re-enact section 10, chapter IV, of the Code concerning public service corporations, approved January 1, 1904, providing for the appointment of police agents and making them persons conservators of the peace, No. 207.

An act to provide for creating, working and maintaining roads in Fairfax county, and defining the boundaries of said county, No. 208.

An act to provide for the improvement and working of roads of the county of Henrico, and for the construction and repair of bridges therein, etc., No. 209.

An act to amend and re-enact an act approved April 2, 1902, entitled an act to amend and re-enact an act entitled an act to provide a road law for Campbell county, approved March 5, 1900, providing and regulating a road board for said county and directing the disbursement of the county road fund, No. 210.

An act to amend and re-enact an act entitled an act to provide for the working and repairing of public roads and bridges in Albemarle county, approved February 20, 1892, No. 211.

An act to amend and re-enact section 122d in regard to duties of electoral boards, seal, etc., of chapter 10, of the Code of Virginia, in reference to general and special elections; the regulations for their conduct and government, as amended and re-enacted by an act approved January 11, 1904, No. 213.

An act to authorize the district school board of Franklin school district, in Northampton county, to borrow money for the purpose of erecting and furnishing a school-house near the town of Franktown, and to provide for the payment thereof, No. 218.

An act to authorize the city of Charlottesville to close certain streets; to allow an overhead steel bridge over the lower end of Main street in said city; to permit the C. & O. Railway Company to erect a new passenger depot in said city, and to ascertain and pay damages, if any, resulting therefrom, No. 219.

An act to repeal an act entitled an act to amend and re-enact an act to impose fine for trespass of swine and other stock in Rockfish district, Nelson county, approved February 9, 1900, approved March 3, 1900, No. 220.

An act to authorize the board of supervisors of Fairfax county to lease the old Commonwealth Attorney's office building on the public square in the town of Fairfax, No. 223.

In which they request the concurrence of the Senate.

No. 2, House bill to amend and re-enact an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia as amended and re-enacted by an act entitled an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories, approved February 3, 1900, as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories, approved March 15, 1902, and as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories, approved April 2, 1902," with Senate substitute.

The House of Delegates refused to concur in Senate substitute.

On motion of Mr. HOLT, the Senate adhered to its substitute asked for a committee of conference.

No. 108, Senate bill to require any person, firm or corporation employing large bodies of laborers, constructing works of improvement, to have them regularly inspected by the health of the counties in which they are located, with Senate amendment.

On motion of Mr. SHACKELFORD, the Senate concurred in amendment by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holmann, Mann, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Wallace and Wickham—31.

NAYS—None.

No. 113, Senate bill making it a misdemeanor to desert just cause, or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute circumstances, and to provide a penalty therefor. House amendment.

On motion of Mr. McILWAINE, the Senate concurred in amendment by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holmann, Mann, Massie, McIlwaine, Opie, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Wallace and Wickham—34.

NAYS—None.

No. 71, House bill to amend and re-enact section 848 of Code of Virginia, as amended and re-enacted by an act approved March 1, 1898, entitled an act to amend and re-enact section 848 of Code of Virginia relating to the compensation of supervisors, as amended and re-enacted by an act approved March 2, 1892, as amended and re-enacted by an act approved February 26, 1891, as amended and re-enacted by an act approved March 5, 1890, as amended and re-enacted by an act approved February 13, 1889, as amended and re-enacted by an act approved February 14, 1888.

ended and re-enacted by an act approved December 13, 1897, as amended and re-enacted by an act approved March 1, 1898, as amended and re-enacted by an act approved March 6, 1900, fixing the per diem and mileage of the supervisors in certain counties of the State, was taken up and referred to the Committee on County, City and Town Organization.

No. 110, House bill to amend and re-enact section 3888 of the Code of Virginia, as amended and re-enacted by Acts of Assembly, session 1893-1894, in relation to "how attempts to commit offences are punished," was taken up and referred to the Committee for Courts of Justice.

No. 170, House bill to make the 19th of January a legal holiday to be known as the Lee-Jackson day, was taken up and referred to the Committee for Courts of Justice.

No. 177, House bill to amend and re-enact section 3385 of the Code of Virginia, relating to bills of exceptions, was taken up and referred to the Committee for Courts of Justice.

No. 179, House bill to amend section 3049 of the Code of Virginia, as amended by an act approved March 5, 1894, as further amended by an act approved May 20, 1903, and by an act approved December 12, 1903, and as further amended by an act approved January 12, 1904, was taken up and referred to the Committee for Courts of Justice.

No. 182, House bill appointing a commission to delineate the positions of the Botetourt (Virginia), artillery in the campaign and defense of Vicksburg, Miss.; and to erect in the Vicksburg National Military Park a memorial tablet to the deeds and services of said company, and appropriating \$200.00 therefor, was taken up and referred to the Committee on Finance and Banks.

No. 183, House bill extending the time of the assessment and payment of the franchise tax on corporations for the year 1904, was taken up and referred to the Committee on Finance and Banks.

No. 185, House bill authorizing Prison Association of Virginia to expend in certain improvements and in the installation, equipment and conduct of its Sloyd Manual Training School, the sum of \$7,223.48, in its possession, being balance of \$9,100.00 appropriated to it under act approved April 2, 1902, appropriating the public revenues for the fiscal years ending, respectively, on April 30, 1902, and April 30, 1903, was taken up and referred to the Committee on Finance and Banks.

No. 188, House bill to amend and re-enact chapter 330 of the Acts of the General Assembly, session of 1869-'70, in relation to the care and management of certain "poor funds" in Nansemond county, was taken up and referred to the Committee on County, City and Town Organization.

No. 189, House bill to allow the council of the town of \_\_\_\_\_ to levy an additional capitation tax for the aid of the public \_\_\_\_\_ of said town, or for such town purposes as the town council determine, was taken up and referred to the Committee on \_\_\_\_\_ City and Town Organization.

No. 190, House bill to allow David Lowe to erect a \_\_\_\_\_ marine railway on Pagan river, county of Isle of Wight \_\_\_\_\_ was taken up and referred to the Committee on General \_\_\_\_\_

No. 191, House bill to amend and re-enact section 2 of \_\_\_\_\_ of the town of Fairmount, Henrico county, was taken up \_\_\_\_\_ referred to the Committee on County, City and Town Organiza \_\_\_\_\_

No. 192, House bill to provide a new charter for the \_\_\_\_\_ Vinton, in the county of Roanoke, and to repeal all acts, or p \_\_\_\_\_ inconsistent with the same, was taken up and referred to the \_\_\_\_\_ on County, City and Town Organization.

No. 193, House bill to amend and re-enact sections 3 and \_\_\_\_\_ act entitled an act to incorporate the town of Cape Charles \_\_\_\_\_ county of Northampton, approved March 1, 1886, as amended \_\_\_\_\_ act approved February 12, 1892, as amended by an act approved \_\_\_\_\_ December 20, 1895, as amended by an act approved February \_\_\_\_\_ 1898, as amended by an act approved March 28, 1902, and \_\_\_\_\_ to establish a uniform date of election and term of office for the \_\_\_\_\_ councilmen of said town, was taken up and referred to the \_\_\_\_\_ mittee on County, City and Town Organization.

No. 196, House bill to amend and re-enact section 30 \_\_\_\_\_ Code as amended by an act approved December 26, 190 \_\_\_\_\_ an act to repeal sections 3063, 3065, 3066 and 3067 of the \_\_\_\_\_ Virginia, and to amend and re-enact sections 3056, 30 \_\_\_\_\_ 3059, 3060 and 3062 of the Code as heretofore amended \_\_\_\_\_ further amended by an act approved February 23, 1904, \_\_\_\_\_ as the same applies to the 13th, 15th, 20th and 21st judicial \_\_\_\_\_ was taken up and referred to the Committee for Courts of \_\_\_\_\_

No. 199, House bill to amend and re-enact an act approved \_\_\_\_\_ uary 2, 1904, entitled "an act to provide for the release of \_\_\_\_\_ for sale of personal property, docketed under section 24 \_\_\_\_\_ Code of Virginia, approved 28th day of February, 1890," \_\_\_\_\_ up and referred to the Committee for Courts of Justice.

No. 204, House bill to amend and re-enact section 2 \_\_\_\_\_ entitled "an act to provide for the appointment of police \_\_\_\_\_ and their jurisdiction in cities of a population of ten thousand \_\_\_\_\_ over, in which, by the terms of their charters, no provision \_\_\_\_\_ for the election or appointment of police justices," approved \_\_\_\_\_ ber 31, 1903, was taken up and referred to the Committee \_\_\_\_\_ of Justice.

No. 207, House bill to amend and re-enact section 1 \_\_\_\_\_

is further motion, the bill was then passed, with its title, by following vote—yeas, 34; nays, 0.

tors who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

None.

CHAPMAN moved to reconsider the vote by which the bill was which was rejected.

213, House bill to amend and re-enact section 122d in regard to the organization of electoral boards, seal, etc., of chapter 10, of the Code of Laws of this State, in reference to general and special elections; the regulations for the conduct and government, as amended and re-enacted by an act approved January 11, 1904, was taken up and referred to the Committee on Privileges and Elections.

218, House bill to authorize the district school board of the town school district, in Northampton county, to borrow money for the purpose of erecting and furnishing a school-house near Franktown, and to provide for the payment thereof, was taken up and referred to the Committee on Public Institutions and Education.

219, House bill to authorize the city of Charlottesville to widen certain streets; to allow an overhead steel bridge over the lower main street in said city; to permit the C. & O. Railway Company to erect a new passenger depot in said city, and to ascertain the damages, if any, resulting therefrom, was taken up and referred to the Committee on County, City and Town Organization.

CHAPMAN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 29;

tors who voted are:

Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Mann, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—29.

None.

By unanimous consent the bill was taken up.



On his further motion, the bill was then passed, with its the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., H. Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Risale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, W. Wickham—34.

NAYS—None.

Mr. THOMAS moved to reconsider the vote by which the passed, which was rejected.

No. 211, House bill to amend and re-enact an act entitled to provide for the working and repairing of public roads and in Albemarle county, approved February 20, 1892, was and referred to the Committee on County, City and Town zation.

Mr. CHAPMAN moved that the Committee on County, Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 35; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., H. Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Reverco, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—35.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. CHAPMAN moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 35; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., H. Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Reverco, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Wallace and Wickham—35.

NAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Kezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

NAYS—None.

Mr. CHAPMAN moved to reconsider the vote by which the bill was passed, which was rejected.

No. 213, House bill to amend and re-enact section 122d in regard to the duties of electoral boards, seal, etc., of chapter 10, of the Code of Virginia, in reference to general and special elections; the regulations for their conduct and government, as amended and re-enacted by an act approved January 11, 1904, was taken up and referred to the Committee on Privileges and Elections.

No. 218, House bill to authorize the district school board of Franktown school district, in Northampton county, to borrow money for the purpose of erecting and furnishing a school-house near the town of Franktown, and to provide for the payment thereof, was taken up and referred to the Committee on Public Institutions and Education.

No. 219, House bill to authorize the city of Charlottesville to close certain streets; to allow an overhead steel bridge over the lower end of Main street in said city; to permit the C. & O. Railway Company to erect a new passenger depot in said city, and to ascertain and pay damages, if any, resulting therefrom, was taken up and referred to the Committee on County, City and Town Organization.

Mr. CHAPMAN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Mann, Massie, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—29.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. CHAPMAN moved to dispense with the reading of required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the vote—yeas, 33; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Zell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Wallace and Wickham—33.

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Zell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Sadler, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Wallace and Wickham—34.

NAYS—None.

Mr. CHAPMAN moved to reconsider the vote by which the bill was passed, which was rejected.

No. 220, House bill to repeal an act entitled an act to re-enact an act to impose fine for trespass of swine and c in Rockfish district, Nelson county, approved February 1900, approved March 3, 1900, was taken up and referred to the Committee on County, City and Town Organization.

No. 223, House bill to authorize the board of supervisors of Fairfax county to lease the old Commonwealth Attorney's office on the public square in the town of Fairfax, was taken up and referred to the Committee on County, City and Town Organization.

Mr. WICKHAM, from the Committee on Finance and Taxation, reported, with amendment and amended title,

No. 198, House bill to require the State Corporation Commission to recall assessments made, and not to further assess but loan associations or companies in the State, with State franchise for the year 1904.

He also reported, from the same committee, without amendment,

No. 182, House bill appointing a commissioner to determine the positions of the Botetourt (Virginia), artillery in the campaign of 1904.

repairing the clerk's office of said county, and to issue bonds

from the same committee, reported, without amendment,  
47, House bill to amend and re-enact section 1 of an act ap-  
March 28, 1903, in relation to changing the boundaries of  
cities, and for increasing or diminishing the number thereof.  
from the same committee, reported, without amendment,  
27, House bill to authorize the board of supervisors of  
county to contribute such an amount as it shall deem proper  
the erection of a Confederate monument in the courthouse  
of said county.

from the same committee, reported, without amendment,  
122, Senate bill for the issue of \$100,000.00 of bonds by  
of Newport News for the construction and equipment of an  
light plant for the supplying of light to said city, and also  
mercial lighting.

from the same committee, reported, without amendment,  
58, Senate bill to authorize the town of Harrisonburg and  
city of Rockingham, or either of them, to appropriate money  
purpose of securing the location of a State Female Normal  
at or near the town of Harrisonburg.

he, from the same committee, reported, without amendment,  
69, House bill to provide a road law for Russell county, Va.,  
chapter 237 of Acts of Assembly, extra session 1902-1903-  
said acts.

0, Senate bill to appropriate \$25,000 for the erection of a  
and plant to furnish heat, light and power to the governor's  
, the State library building and the State capitol, and to  
the removal of the heat and power plants now in said build-  
ing the special and continuing order of the day, the hour of  
clock having arrived, was taken up.

unanimous consent, Mr. ANDERSON offered amendments, which  
opted.

bill, as amended, was then passed, with its title, by the fol-  
lowing vote— yeas, 26; nays, 7.

Members who voted are:

Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell,  
Hilton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Keezell, Machen,  
McIlwaine, Ople, Rison, Sadler, Sale, Sears, Shackelford, St. Clair,  
and Walker—26.

Messrs. Barksdale, Holt, Noel, Revercomb, Thomas, Turner and  
-7.

Code of 1887, as amended and re-enacted by an act approved March 20, 1903.

He, from the same committee, reported, without amendment,

No. 217, Senate bill to amend and re-enact section 1660

Code of Virginia, as amended and re-enacted by an act approved March 7, 1903.

Code of Virginia, in relation to State hospitals for the insane,

the commitment of insane persons, approved March 7, 1903.

Mr. BRYANT, from the Special Joint Committee on Special

Legislation, respectfully reports that the bill to amend and re-enact

No. 275, Senate bill to incorporate the town of Madison in

Amherst county.

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on

City and Town Organization.

Mr. McILWAINE, from the Committee for Courts of Justice,

reported, with the recommendation that it be referred to the

Committee on Public Institutions and Education,

No. 181, House bill to amend and re-enact section 1660

Code of Virginia, as amended and re-enacted by an act approved

8th day of March, 1884.

The report of the committee was adopted, and the bill referred

to the Committee on Public Institutions and Education.

Mr. KEEZEL, from the Committee on Public Institutions and

Education, reported, with a substitute for bill and title,

No. 181, House bill to amend and re-enact section 1660

Code of Virginia, as amended and re-enacted by an act approved

March 8, 1894.

Mr. OPIE, from the Committee on County, City and Town

Organization, reported, without amendment,

No. 248, Senate bill to validate and legalize the issue of

bonds of Bristol, Va., of date June 1, 1903, and known as

and water works bonds.

He, from the same committee, reported, without amendment,

No. 146, House bill to incorporate and provide a charter for

town of Damascus, Virginia.

He, from the same committee, reported, without amendment,

No. 52, House bill to authorize the boards of supervisors of

counties to contribute such amounts as they shall deem proper

towards the erection of Confederate monuments in the squares

at the county seats of their counties.

He, from the same committee, reported, without amendment,

No. 157, House bill to authorize the board of supervisors of

Essex county to borrow money for the purpose of rebuilding

and repairing the clerk's office of said county, and to issue bonds therefor.

He, from the same committee, reported, without amendment, No. 147, House bill to amend and re-enact section 1 of an act approved March 28, 1903, in relation to changing the boundaries of wards in cities, and for increasing or diminishing the number thereof.

He, from the same committee, reported, without amendment, No. 27, House bill to authorize the board of supervisors of said county to contribute such an amount as it shall deem proper towards the erection of a Confederate monument in the courthouse square of said county.

He, from the same committee, reported, without amendment, No. 122, Senate bill for the issue of \$100,000.00 of bonds by the city of Newport News for the construction and equipment of an electric light plant for the supplying of light to said city, and also for commercial lighting.

He, from the same committee, reported, without amendment, No. 258, Senate bill to authorize the town of Harrisonburg and the county of Rockingham, or either of them, to appropriate money for the purpose of securing the location of a State Female Normal school at or near the town of Harrisonburg.

And he, from the same committee, reported, without amendment, No. 169, House bill to provide a road law for Russell county, Va., and to repeal chapter 237 of Acts of Assembly, extra session 1902-1903-1904 of said acts.

No. 20, Senate bill to appropriate \$25,000 for the erection of a building and plant to furnish heat, light and power to the governor's mansion, the State library building and the State capitol, and to permit the removal of the heat and power plants now in said building, being the special and continuing order of the day, the hour of 11:15 o'clock having arrived, was taken up.

By unanimous consent, Mr. ANDERSON offered amendments, which were adopted.

The bill, as amended, was then passed, with its title, by the following vote— yeas, 26; nays, 7.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Keezell, Machen, Mann, McIlwaine, Opie, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner and Walker—26.

NAYS—Messrs. Barksdale, Holt, Noel, Revercomb, Thomas, Turner and Wallace—7.

Mr. ANDERSON moved to reconsider the vote by which it passed, which was rejected.

And he was ordered to inform the House of Delegates.

No. 201, Senate bill to authorize the town of Onancock county of Accomac, Virginia, to borrow money.

On motion of Mr. GUNTER, by unanimous consent, taken up, and passed, with its title, by the following vote—yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—36.

NAYS—None.

Mr. McILWAINE, by unanimous consent, presented

No. 286, Senate bill to repeal an act entitled “an act for the working and keeping in order the public roads in Dinwiddie,” approved February 25, 1892.

On his motion, the bill being partially read, it was referred to the Committee on County, City and Town Organization.

Mr. McILWAINE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—36.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 36; nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Comwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Jell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 36; nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Comwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Jell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills, which had been passed by both Houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read.

No. 166, House bill to create a road board for the county of Fauquier, and to provide for the working of the roads of said county.

No. 87, House bill to amend and re-enact sections 420 and 421 of an act to amend and re-enact title 12 of the Code of Virginia, in relation to the public debt, approved December 17, 1903.

No. 92, Senate bill to authorize the city of Roanoke to donate or sell real estate owned by it to any State institution.

No. 186, Senate bill to amend sections 3146 and 3147 of the Code of Virginia as amended and re-enacted by act approved December 10, 1903, which is chapter 384 of the Acts of the extra session of 1902-'3-'4, relating to juries.

No. 90, Senate bill to establish a general road fund for the permanent improvement of the roads and the bridges of Dinwiddie county; to create a road board for Dinwiddie county and to prescribe its powers and duties; and to provide for the appointment of a county superintendent of roads and to regulate his duties.

No. 187, Senate bill to amend and re-enact section 4048 of the Code of Virginia, as amended by act approved January 2, 1904,



which is chapter 553 of Acts of the extra session of 1902 relation to jurors in cases of misdemeanors.

No. 112, House bill to amend and re-enact section 907 of of Virginia, as amended by an act approved February 23, relation to the sale of mules, work oxen and horses, when sold.

No. 207, Senate bill to amend and re-enact section 131 entitled an act to provide a new charter for the city of B proved March 5, 1900, and to repeal sections 132 and 133

By unanimous consent, was taken up and passed, with its the following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., H Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, R Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas Walker, Wallace and Wickham—36.

NAYS—None.

No. 162, House bill to authorize the board of supervisors line county to levy an additional capitation tax of one d annum, to be applied in aid of public schools in said county such other county purposes as they shall determine.

Mr. WICKHAM moved that the Committee on County, Town Organization be discharged from further consideration bill, which was agreed to by the following vote—yeas, 36; n

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., H Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, R Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas Walker, Wallace and Wickham—36.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. WICKHAM moved to dispense with the reading of th required by section 50 of the Constitution, and the Sen satisfied that an emergency exists, it was agreed to by the vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

Mr. WICKHAM moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. BRYANT, from the Joint Committee on Special, Private and Local Legislation, reported that the object of the following bill Cannot be reached by General Laws.

No. 277, Senate bill to provide a charter for the town of Narrows, in Giles county, Va.

The bill was taken up and referred to the Committee on County, City and Town Organization.

Mr. ST. CLAIR moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. ST. CLAIR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to by the vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thos. Walker, Wallace and Wickham—36.

NAYS—None.

The bill was then ordered to be engrossed; and being engrossed, on his further motion, was passed, with its following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thos. Walker, Wallace and Wickham—36.

NAYS—None.

No. 168, Senate bill to provide for the purchase and of two thousand copies of the second edition of Hurst's Manual.

By unanimous consent, the bill was taken up.

Mr. SADLER moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thos. Walker, Wallace and Wickham—36.

NAYS—None.

The bill was then ordered to be engrossed; and being engrossed, on his further motion, was passed, with its following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, McIlwaine, Noel, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner and Wickham—27.

NAYS—None.

No. 115, House bill to amend and re-enact section 3129 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903.

Mr. MACHEN moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner and Wickham—31.

NAYS—None.

No. 285, Senate bill to repeal an act approved February 29, 1888, entitled "an act to work and keep in order the public roads in the County of Pittsylvania."

By unanimous consent, the bill was taken up.

Mr. RISON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 28; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Byars, Campbell, Cromwell, Ford, Greear, Gunter, Harman, A. C., Holt, Machen, Mann, Massie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Turner, Walker, Wallace and Wickham—28.

**NAYS**—None.

No. 265, Senate bill to amend and re-enact chapter 580 of the General Assembly, extra session 1902-1903-1904, act to amend and re-enact section 60, chapter 7, of the city of Portsmouth, in relation to city officers."

**Mr. CROMWELL** moved that the Committee on County Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Kee, Mann, Massie, McIlwaine, Noel, Phlegar, Rison, Sadler, Sale, Se, ford, St. Clair Tavenner, Thomas, Turner, Walker, Wallace and ham—33.

**NAYS**—None.

By unanimous consent, the bill was taken up.

**Mr. CROMWELL** moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 33; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Massie, McIlwaine, Noel, Rison, Sadler, Sears, Shackelford, Tavenner, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—33.

**NAYS**—None.

The bill was then ordered to be engrossed; and being so, on his further motion, was passed, with its amendments, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, M

Massie, McIlwaine, Noel, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas, Turner, Wallace and Wickham—27.

NAYS—None.

No. 256, Senate bill to allow the town of Front Royal to supply said town, the inhabitants thereof, and the inhabitants in the vicinity of said town, with light, and to issue bonds of said town to effect said purpose, and to hold an election therefor.

By unanimous consent, the bill was taken up.

Mr. FULTON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Kezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

Mr. FULTON offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Kezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

NAYS—None.

No. 127, House bill appropriating the public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending, respectively, on the 28th day of February, 1905, and the 28th day of February, 1906, with committee amendments, being the special and continuing order of the day, the hour of 12:10 o'clock having arrived, was taken up.

Mr. WICKHAM moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to vote—yeas, 36; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, C. Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, P. Rison, Sadler, Sale, Sears, Shackelford, St. Clair, Tavenner, Walker, Wallace and Wickham—36.

NAYS—None.

The hour of 2 o'clock having arrived, the chair 3:30 o'clock P. M.

## EVENING SESSION.

TUESDAY, MARCH 8, 1904.

Lieutenant-Governor JOSEPH E. WILLARD, in t

By unanimous consent, Mr. MASSIE asked pe Committee on Roads and Internal Navigation b during the session of the Senate this afternoon, w

Mr. McILWAINE, from the Committee for Cou reported, without amendments,

No. 267, Senate bill to provide places of abode, keeping, control and guardianship of children who a lected or deserted by parents, guardians, or other c may be exposed to immoral or vicious influences o

He, from the same committee, reported, withou

No. 268, Senate bill to amend and re-enact se approved March 4, 1898, amending and re-enacti 4 of an act entitled an act to provide for a bureau dustrial statistics, and defining the duties of said March 3, 1898.

He, from the same committee, reported, withou

No. 284, Senate bill to amend and re-enact se Code of Virginia, as amended and re-enacted by a eral Assembly of Virginia, approved December 12

He, from the same committee, reported, withou

No. 122, House bill to amend and re-enact an a in relation to fraudulent conversion of property

and, approved May 23, 1887, as amended by an act approved February 14, 1898, making the said act apply to the fraudulent disposal of personal property by any person who had agreed in writing that the title or ownership of the same shall be or remain in another without the written consent of such other, larceny.

He, from the same committee, reported, without amendments, No. 123, House bill to amend and re-enact section 3603 of the Code of Virginia, as amended by an act approved February 23, 1898, relative to proceedings by interrogatories to ascertain the estate of a debtor on which a fieri facias on a judgment may be a lien, and to compel an examination of such debtor and his debtor or trustee, so as to include proceedings to ascertain the location of property for which a writ of possession or distringas is in the hands of an officer.

He, from the same committee, reported, with amendments, No. 179, House bill to amend section 3049 of the Code of Virginia, as amended by an act approved March 5, 1894, as further amended by an act approved May 20, 1903, and by an act approved December 12, 1903, and as further amended by an act approved January 12, 1904.

He, from the same committee, reported, with amendments, No. 196, House bill to amend and re-enact section 3059 of the Code as amended by an act approved December 26, 1903, entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code as heretofore amended, and as further amended by an act approved February 23, 1904, in so far as the same applies to the 13th, 15th, 20th and 21st judicial circuits.

He, from the same committee, reported, without amendments, No. 199, House bill to amend and re-enact an act approved January 2, 1904, entitled "an act to provide for the release of contracts for sale of personal property, docketed under section 2462 of the Code of Virginia, approved 28th day of February, 1890."

And he, from the same committee, reported, without amendments, No. 207, House bill to amend and re-enact section 10, chapter 1 of an act concerning public service corporations, approved January 18, 1904, providing for the appointment of police agents and making certain persons conservators of the peace.

No. 127, House bill appropriating the public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending respectively, on the 28th day of February, 1905, and the 28th day of February, 1906, being the special and continuing order of the day, was taken up.

Mr. SHACKELFORD offered an amendment, which was adopted.





21, 1122 and 1123; section 1124, as amended by an act approved February 13, 1890; sections 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133 and 1134; section 1135, as amended by an act approved January 9, 1896; sections 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143 and 1144; section 1145, as amended by an act approved February 20, 1892, and by an act approved January 17, 1896, and by an act approved April 2, 1902; sections 1146 and 1147; section 1148, as amended by an act approved February 17, 1890; sections 1149, 1150, 1151, 1152 and 1153 of chapter 47 of the Code of Virginia, was taken up and read the second time.

No. 75, House bill for working and keeping in repair the public roads and bridges in the county of Appomattox, with committee substitute, was taken up, read the second time and committee substitute adopted.

No. 98, House bill concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary, was taken up and read the second time.

No. 104, House bill to prohibit the establishment, location, or maintenance of small-pox hospitals or pest-houses within fifty yards of any street, public road, public park, or public cemetery in any city, town or county of the Commonwealth, or to hereafter establish any such hospital or pest-house within one hundred and fifty yards of any public road, public park or cemetery in any county of the Commonwealth, was taken up and read the second time.

No. 62, House bill to repeal chapter 630 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 192 of the Acts of the General Assembly of 1887-8, approved February 23, 1888; chapter 373 of the Acts of the General Assembly of 1887-8; chapter 52 of the 1888; chapter 450 of the Acts of the General Assembly of 1887-8, approved March 6, 1888; chapter 67 of the Acts of the General Assembly of 1889-90, approved February 17, 1890; chapter 167 of the Acts of the General Assembly of 1889-90, approved March 3, 1890; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 614 of the Acts of the General Assembly of 1891-2, approved March 3, 1892; chapter 52 of the Acts of the General Assembly of 1893-4, approved January 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 277 of the Acts of the General Assembly of 1895-6, approved February 11, 1896; chapter 181 of the Acts of the General Assembly of 1897-8, approved February 1, 1898, as amended by an act approved December 24, 1899, and by an act approved March 13, 1903; chapter 226 of the Acts of the General Assembly of 1899-1900, approved January 30, 1900, as amended by an act approved February 15, 1901; chapter

312 of the Acts of the General Assembly of 1899-1900, February 9, 1900, as amended by an act approved February 9, 1901; chapter 328 of the Acts of the General Assembly of 1900, approved February 14, 1900; chapter 880 of the General Assembly of 1899-1900, approved March 6, 1900; section 64 of the Acts of the General Assembly of 1901-2, approved February 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-2, approved April 2, 1902; section 2 of chapter 10 of the Acts of the General Assembly of 1893-4, approved February 18, 1894; chapter 346 of the Acts of the General Assembly of 1900, approved February 14, 1900; chapter 689 of the General Assembly of 1899-1900, approved March 2, 1900; chapter 966 of the Acts of the General Assembly of 1900, approved March 7, 1900, was taken up and read the second time.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor or surveyors and making an appropriation for compensation of the same, approved March 28, 1902, with committee amendments, was taken up and read the second time.

No. 25, House bill to have plats of oyster planting grounds discredited "abandoned" under certain conditions, was taken up and read the second time.

No. 29, House bill for the protection of pheasants and other birds imported for propagation, with committee amendments, taken up, read the second time and committee amendments adopted.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county," was taken up and read the second time.

No. 135, House bill to exempt persons conducting temporary meetings or lodging houses, horse-lots and confectioneries from the license tax, was taken up and read the second time.

No. 155, House bill for the relief of corporations from the payment of erroneous charter fees, with committee amendments, taken up, read the second time and committee amendments adopted.

No. 130, House bill to provide for the removal of the statue of Washington from the Capitol to the Library of Congress to some other place, with committee amendment, was taken up and read the second time and committee amendment adopted.

No. 109, Senate bill to amend, revise and re-enact sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

ontas, in Tazewell county, Virginia, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 115, Senate bill to authorize and empower the council of the town of Pocahontas, Virginia, to sell a strip of eight feet on the east side of Centre street, from St. Clair street, to what is known as Philadelphia Row, in order to straighten said Centre street and make same of uniform width, and to provide that the fund arising from the same shall go to the benefit of the public school of the town, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 222, Senate bill to amend and re-enact section 3932 of the Code of Virginia of 1887, relating to chain-gangs and who shall work in them, as amended and re-enacted by an act approved December 24, 1903, entitled an act to amend and re-enact sections 3916, 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia, was taken up, read the second time, ordered to be engrossed and read a third time.

The following House bills were taken up and read the first time:

No. 50, House bill to allow the street mileage in the town of Chase City, county of Mecklenburg, Va., to be included in mileage of county public roads, and to receive its pro rata share of county road levy.

No. 67, House bill to prohibit the enticing away, hiring, or having in employment laborers of another during their contract term of service, and to provide public punishment, and the recovery of private damages therefor.

No. 111, House bill to require the State board of medical examiners to preserve the examination papers of all applicants for examination.

No. 161, House bill to authorize the supervisors of Caroline county to grant permission for a monument to the Confederate soldiers of said county to be erected in the courthouse square of said county, and to make appropriation thereto.

No. 165, House bill for working and keeping in repair the public roads and bridges in the county of Buckingham, and to levy a capitation tax in connection therewith.

No. 175, House bill to amend and re-enact section 723 of the Code of Virginia, as amended by an act approved December 10, 1903.

No. 180, House bill to amend and re-enact section 3111 of the Code of Virginia, as amended and re-enacted by an act approved January 11, 1904.

No. 146, House bill to incorporate and provide a charter for the town of Damascus, Virginia.



No. 258, Senate bill to authorize the town of Harrisonburg and county of Rockingham, or either of them, to appropriate money for the purpose of securing the location of a State female normal school at or near the town of Harrisonburg.

No. 122, Senate bill for the issue of \$100,000 of bonds by the city of Newport News for the construction, erection and equipment of an electric light plant for the supplying of lights to said city and also for commercial lighting.

No. 284, Senate bill to amend and re-enact section 2716 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved December 12, 1903.

Mr. PHLEGAR, by unanimous consent, presented

No. 287, Senate bill to amend and re-enact section 3214 of the Code of Virginia, as amended by an act approved December 10, 1903, which is chapter 409 of the Acts of the special session of 1902-1903-1904, which, on his motion, was read the first, ordered to be read a second time, and referred to the Committee for Courts of Justice.

Mr. THOMAS, by unanimous consent, presented

No. 288, Senate bill to repeal an act entitled an act requiring portable fish ladders upon the dam across Goose creek, at Leesville, Campbell county, which, on his motion, was read the first, ordered to be read a second time and referred to the Committee on County, City and Town Organization.

On motion of Mr. CROMWELL, the Senate adjourned until tomorrow at 10 o'clock A. M.

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WEDNESDAY, MARCH 9, 1904.

Lieutenant-Governor JOSEPH E. WILLARD, in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

*In House of Delegates, March 8, 1904.*

The House of Delegates has agreed to the amendments proposed by the Senate to House bill entitled an act to provide the establishment, proper construction and permanent improvement of the public

roads and landings for building and keeping in good order of all public roads, bridges, causeways and wharves in the counties of this State, No. 6

They have passed Senate bills entitled an act to appropriate the sum of \$165,000.00 to provide buildings, equipment, immovables for the Virginia Polytechnic Institute, No. 86.

An act to appropriate the sum of \$55,000.00 to add to and improve the buildings of the State Female Normal School, at Farmington, to increase the annual appropriation to said school from \$30,000, No. 94.

Mr. BRYANT, from the Special Joint Committee on State and Local Legislation, respectfully reports that the object of

No. 282, Senate bill to permit hunting and killing of snakes in the county of Wythe,

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on Game.

He, from the same committee, also reports that the object of

No. 280, Senate bill to amend and re-enact section 62 of an act entitled an act to provide a new charter for the town of Blacksburg, approved March 5, 1900,

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

He, from the same committee, also reports that the object of

No. 283, Senate bill to amend and re-enact an act entitled an act to amend and re-enact article 10 of an act to incorporate the town of Phœbus, in Elizabeth City county, approved January 1, 1900, and amended by an act approved April 2, 1902,

Cannot be reached by General Laws.

The bill was taken up and referred to the Committee on City and Town Organization.

No. 224, Senate bill to amend and re-enact section 33 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 3527 of the Code of Virginia in relation to payment of fees to officers out of the treasury of the State, approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898, with committee amendments.

By unanimous consent the bill was taken up.

Mr. TAVENNER moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by the yeas and nays—yeas, 24; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Harman, A. C., Holt, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Sale, Sears, St. Clair, Tavenner, Thomas, Turner, Walker and Wickham—24.

**NAYS**—None.

No. 127, House bill appropriating the public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending respectively on the 28th day of February, 1905, and the 28th day of February, 1906, with committee amendments, being the special and continuing order of the day, the hour of 10:30 o'clock having arrived, was taken up.

Mr. KEEZELL offered an amendment, which was adopted.

Mr. WALKER offered an amendment.

Mr. KEEZELL offered an amendment to the amendment, which was adopted.

The amendment, as amended, "line" 132, page 20.

Amended by inserting the words:

"Assistant-librarian, \$1,200; stenographer and typewriter, \$600; for the installation of electric lights in the library, \$350," was rejected by the following vote—yeas, 16; nays, 16.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Campbell, Chapman, Cromwell, Gunter, Harman, A. C., Hutcheson, Machen, McIlwaine, Rison, Sadler, Sears, Shackelford, Walker and Wickham—16.

**NAYS**—Messrs. Byars, Ford, Garrett, Greear, Hobbs, Keezell, Mann, Noel, Phlegar, Revercomb, Sale, St. Clair, Tavenner, Thomas, Turner and Wallace—16.

Mr. WALKER moved to reconsider the vote by which the amendment was rejected, which was agreed to.

Mr. PHLEGAR offered an amendment to the amendment, which was adopted.

The amendment, as amended, was then adopted.

Mr. A. C. Harman offered an amendment, which was rejected.

Mr. CHAPMAN offered the following amendment: "After line 125, page 24, insert the following: "The Board of Agriculture and Immigration for the publication of a hand-book and the circulation of other literature giving accurate and detailed information of the resources, capabilities and advantages of this State, the sum of five thousand



dollars," which was rejected by the following  
nays, 10.

Senators who voted are:

YEAS—Messrs. Chapman, Gunter, Harman, A. C., Hobb  
McIlwaine, Rison, Sadler, Sale, Sears, Shackelford, Tavenner

NAYS—Messrs. Barksdale, Bryant, Campbell, Ford, G  
Keezell, Noel, Opie, Phlegar, Revercomb, Shands, St. Clair  
and Wickham—16.

Mr. PHLEGAR offered an amendment, which was a  
Mr. McILWAINE offered amendments, which we  
Mr. BRYANT offered an amendment, which was ad  
Mr. PHLEGAR offered an amendment, which was a  
Mr. BYARS offered an amendment, which was reje  
Mr. ST. CLAIR offered an amendment, which was  
Mr. PHLEGAR offered an amendment, which was a  
Mr. SHACKELFORD offered an amendment, which  
Mr. WICKHAM offered an amendment, which was  
Mr. PHLEGAR offered an amendment to a commi  
which was adopted.

Mr. McILWAINE offered an amendment, which was

Several committee amendments were adopted.

Several committee amendments were rejected.

The bill, as amended, was then passed, with its  
lowing vote—yeas, 33; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Ca  
Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harm  
Holt, Hutcheson, Keezell, Mann, Massie, McIlwaine, Opie  
Sale, Sears, Shackelford, Shands, St. Clair, Tavenner,  
Walker and Wickham—33.

NAYS—None.

On motion of Mr. WICKHAM, he was ordered to in  
of Delegates thereof.

A message was received from the House of D  
Boaz, who informed the Senate that that House had

No. 257, House bill to amend sections 2 to 10, in  
to raise revenue for support of the government  
schools, and to pay the interest on the public debt,  
special tax for pensions as authorized by section 189

on, approved April 16, 1903, so as to reduce taxes on all real and personal property, five cents on each one hundred dollars.

The bill was taken up and referred to the Committee on Finance and Banks.

The President appointed on the part of the Senate Messrs. ANDERSON, KEEZELL and PHLEGAR under the provision creating a Capitol Commission on Senate bill No. 7.

A message was received from the House of Delegates by Mr. Smith, who informed the Senate that that House had agreed to the request of the Senate for a committee of conference on

No. 2, House bill to amend and re-enact an act approved December, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 753 of the Code of Virginia, relating to State depositories, approved February 3, 1900, as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories, approved March 15, 1902, and as amended and re-enacted by an act approved March 15, 1902, and as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended in relation to State depositories, approved April 2, 1902."

The President appointed Messrs. ANDERSON, KEEZELL and HOLT as a committee of conference on the part of the Senate.

On motion of Mr. BARKSDALE, the Senate resolved itself into executive session, and having dispatched the business before them, the doors were opened, and the following resolutions adopted in executive session (the injunction of secrecy being removed), were ordered to be spread on the Journal of the Senate and a copy thereof forwarded to the Governor:

Resolved, That the Senate advise and confirm the following appointments as members of the Board of Visitors of the Virginia Normal and Industrial Institute: Edward C. Glass, of Lynchburg; and Asa D. Watkins, of Farmville, for a term of two years; and Charles E. Vawter, of Albemarle; and Samuel C. Mitchell, of Richmond; for a term of four years, beginning July 1, 1904.

Resolved, That the Senate advise and confirm the following appointments as members of the Board of Visitors to the Virginia School for the Deaf and the Blind: W. L. Keyser, of Washington; R. G. Bourne, of Grayson; and Samuel H. Miller, of Lynchburg; each for the term of two years, beginning July 1, 1904; and A. H. McCue, of Augusta; J. H. Lindsey, of Charlottesville; and G. W. Butts, M. D., of Suffolk; each for the term of four years, beginning July 1, 1904.

The hour of 2 o'clock having arrived the chair was vacated at 3:30 o'clock P. M.

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## EVENING SESSION.

WEDNESDAY, MARCH 9, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
No. 224, Senate bill to amend and re-enact section 3526 of the Code of Virginia, as amended and re-enacted by an act to amend and re-enact section 3527 of the Code of Virginia, in relation to payment of fees to officers out of the treasury in cases, approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898, with committee amendments.

By unanimous consent, the bill was taken up.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed for passage.

Mr. TAVENNER moved to put the bill on its passage, which was rejected.

A message was received from the House of Delegates, by Stewart, who informed the Senate that that House had passed

No. 252, House bill to amend and re-enact chapter 7, Acts of the General Assembly, extra session 1902-'3-'4, to amend and re-enact section 60, chapter 7, of the charter of the city of Portsmouth, in relation to city officers.

The bill was taken up and referred to the Committee on City and Town Organization.

Mr. WICKHAM presented the following resolution:

"Resolved, That the chair be vacated at 6 o'clock and again at 8 o'clock P. M., to-day, and when the chair is again called the roll of the Senate shall be called and each Senator who is reached shall have the right to take up and have passed a local or private bill, if uncontested, or one bill of a general nature, if uncontested," which was adopted.

No. 44, Senate bill to provide for primary elections, on special and continuing order of the day, was taken up and ordered to be engrossed; and being forthwith engrossed, was passed on its title, by the following vote—yeas, 19; nays, 15.

Senators who voted are:

**YEAS**—Messrs. Anderson, Ford, Fulton, Greear, Gunter, Harman, A. C., Hutcheson, Machen, Mann, McIlwaine, Phlegar, Revercomb, Sadler, Sale, Shands, Thomas, Turner and Walker—19.

**NAYS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Garrett, Hobbs, Keezell, Massie, Rison, Shackelford, St. Clair, Tavenner and Wallace—15.

On motion of Mr. MACHEN, he was ordered to inform the House Delegates thereof.

No. 228, Senate bill to prescribe the jurisdiction of boards of supervisors in matters pertaining to county roads, toll roads, bridges, ferries and mills, with committee amendment, was taken up, committee amendment adopted and ordered to be engrossed; and being forthwith engrossed, was passed, with its title by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Mann, Massie, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, St. Clair, Tavenner, Thomas, Turner, Walker and Wallace—29.

**NAYS**—None.

No. 162, Senate bill to amend and re-enact section 613 of chapter 7 of the Code of Virginia, entitled "collection of taxes," was taken up and passed, with its title, by the following vote—yeas, 22; nays 9.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Hobbs, Hutcheson, Keezell, Mann, Massie, McIlwaine, Revercomb, Sadler, Sale, Sears, Shackelford, Shands and Thomas—22.

**NAYS**—Messrs. Bryant, Byars, Phlegar, Rison, St. Clair, Tavenner, Turner, Wallace and Wickham—9.

A message was received from the House of Delegates by Mr. Boaz, who informed the Senate that that House had refused to concur in Senate amendments to

No. 127, House bill appropriating the public revenue for the period of five months, beginning the first day of October, 1903, and ending the 29th day of February, 1904, and for the two fiscal years ending respectively on the 28th day of February, 1905, and on the 28th day of February, 1906.

On motion of Mr. WICKHAM, the Senate insisted on amendments, and asked for a committee of conference.

And he was ordered to inform the House of Delegates that

A message was received from the House of Delegates, Boaz, who informed the Senate that that House had agreed to a request of the Senate for a committee of conference on No. 127.

The President appointed Messrs. WICKHAM, CHAPMAN and GAR as a committee of conference on the part of the Senate

No. 17, House bill to amend and re-enact section 1 of the Code of Virginia, as amended by an act approved March 1, relating to the practice of pharmacy, was taken up, read the title and passed, with its title, by the following vote—yeas, 4.

Senators who voted are:

YEAS—Messrs. Campbell, Cromwell, Fulton, Garrett, Greear, Mann, A. C., Hobbs, Hutcheson, Mann, Massie, McIlwaine, Rever, Sears, Shands, Tavenner, Thomas, Turner and Walker—20

NAYS—Messrs. Byars, Phlegar, Sale and Wallace—4.

The hour of 6 o'clock having arrived the chair was vacated at 8 o'clock P. M.

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## NIGHT SESSION.

WEDNESDAY, MARCH 9, 1904.

President *pro tem.* HENRY T. WICKHAM in the chair.

No. 276, Senate bill to amend section 1406, as amended, relating to proceedings by trustees of a congregation, church or denomination, society or branch thereof, to sell, exchange or otherwise dispose of real or personal property held in trust for the benefit of the trust property.

By unanimous consent the bill was taken up.

Mr. ANDERSON moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Irrett, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Thomas, Turner and Wickham—21.

**NAYS**—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 22; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Irrett, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Machen, Mann, McIlwaine, Phlegar, Rison, Sadler, Thomas, Turner, Walker and Wickham—22.

**NAYS**—None.

No. 98, House bill concerning liquor dealers deprived of their licenses by a local option election, or by the establishment of a dispensary.

By unanimous consent the bill was taken up, read the third time, and passed, with its title, by the following vote—yeas, 22; nays, 2.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford, Jarrett, Harman, A. C., Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Dole, Phlegar, Rison, Sadler, Thomas, Turner, Wallace and Wickham—22.

**NAYS**—Messrs. Gunter and Walker—2.

Mr. BARKSDALE moved to reconsider the vote by which the bill was passed, which was rejected.

No. 209, House bill to amend and re-enact sections 5 and 10 of an act entitled an act to provide for the improvement and working of the roads of the county of Henrico, and for the construction and repair of the bridges therein, etc., and the acts amendatory thereof, and to repeal section 7 of said act, approved March 1, 1884.

Mr. BRYANT moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapin, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keizer, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Taverner, Turner, Walker, Wallace and Wickham—27.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. BRYANT moved to dispense with the reading as required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Thomas, Turner, Wallace and Wickham—27.

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Taverner, Thomas, Walker, Wallace and Wickham—28.

NAYS—None.

No. 146, House bill to incorporate and provide a charter for the town of Damascus, Virginia.

By unanimous consent the bill was taken up.

Mr. BYARS moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt,

ezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Tavenner, Thomas, Walker and Wickham—27.

YAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Kezell, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Tavenner, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

No. 131, Senate bill to incorporate and provide a charter for the town of Damascus, Virginia.

By unanimous consent, on motion of Mr. BYARS, the bill was indefinitely postponed.

No. 225, Senate bill to amend and re-enact section 15 of an act entitled "an act to provide a new charter for the town of Liberty, to extend its limits, and change the name to Bedford City," approved March 3, 1890.

By unanimous consent the bill was taken up.

Mr. CAMPBELL moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Kezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Tavenner, Thomas, Walker, Wallace and Wickham—29.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutche-



son, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30

NAYS—None.

No. 170, House bill to amend and re-enact section Code of Virginia, as amended and re-enacted by an act to amend and re-enact section 2844 of the Code of relation to public holidays, approved February 28, 1890, and re-enacted by an act entitled an act to amend and re- 2844 of the Code of Virginia, as amended and re-enacted to amend section 2844 of the Code of Virginia, in relation holidays, approved February 5, 1896, as amended and re an act to amend section 2844 of the Code of Virginia to public holidays. approved February 19, 1896, as a re-enacted by an act entitled an act to amend section Code of Virginia, in relation to public holidays, approved 1902.

Mr. CHAPMAN moved that the Committee for Courts be discharged from further consideration of the bill, agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, son, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30

NAYS—None.

By unanimous consent the bill was taken up.

Mr. CHAPMAN moved to dispense with the reading as required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, son, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30.

NAYS—None.

No. 130, Senate bill to amend and re-enact sections 11, 12 and 13 of an act entitled an act to amend and re-enact an act entitled an act to create and maintain a State board of crop pest commissioners, and to define its duties and powers, approved March 5, 1900, as amended by an act approved May 9, 1903, with committee substitute.

By unanimous consent the bill was taken up.

Mr. FORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30 ; nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30.

NAYS—None.

The committee substitute was adopted.

The bill, as amended, was then ordered to be engrossed ; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 31 ; nays, 0.

Senators who voted are :

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—31.

NAYS—None.

Mr. FULTON, by unanimous consent, presented

No. 289, Senate bill to amend and re-enact an act approved April 27, 1903, entitled an act to allow county, city and town treasurers further time to collect certain taxes and levies uncollected, but accounted for by them.

On his motion, the bill being partially read it was referred to the Committee on Finance and Banks.

Mr. FULTON moved that the Committee on Finance be discharged from further consideration of the bill, and that the bill be taken up by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C. Harman, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Shands, Thomas, Walker and Wickham—27.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. FULTON moved to dispense with the reading of the bill required by section 50 of the Constitution, and that if satisfied that an emergency exists, it was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C. Harman, Keezell, Mann, Massie, McIlwaine, Ople, Phlegar, Risner, Tavenner, Thomas, Walker and Wickham—28.

NAYS—None.

The bill was then ordered to be engrossed; and on his further motion, was passed, with the following vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C. Harman, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Shands, Tavenner, Thomas, Walker and Wickham—29.

NAYS—None.

And he was ordered to inform the House of Delegates that Senate bill No. 284, Senate bill to amend and re-enact section 284 of the Code of Virginia, as amended and re-enacted by a Joint General Assembly of Virginia, approved December 12, 1901, was passed.

By unanimous consent the bill was taken up.

Mr. GARRETT moved to dispense with the reading of the bill.

s required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 26; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas and Wickham—26.

NAYS—Mr. Gunter—1.

No. 122, Senate bill for the issue of \$100,000.00 of bonds by the city of Newport News for the construction, erection and equipment of an electric light plant for the supplying of lights to said city and also for commercial lighting.

By unanimous consent the bill was taken up.

Mr. CROMWELL moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Tavenner, Thomas, Walker and Wickham—27.

NAYS—None.

Mr. CROMWELL offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker and Wickham—29.

**NAYS**—None.

No. 818, House bill to authorize the district school board town school district, in Northampton county, to borrow the purpose of erecting and furnishing a school-house near of Franktown, and to provide for payment thereof.

Mr. GUNTER moved that the Committee on Public Instruction and Education be discharged from further consideration of the bill. It was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Shands, St. Clair, Tavenner, Thomas, Walker and Wickham—29.

**NAYS**—None.

By unanimous consent the bill was taken up.

Mr. GUNTER moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Shands, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—30.

**NAYS**—None.

On his further motion, the bill was then passed, with the following vote—yeas, 28; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Shands, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—28.

Kezell, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Shackelford, Shands, St. Clair, Tavenner, Thomas, Walker and Wickham—28.

**NAYS—None.**

Mr. GUNTER moved to reconsider the vote by which the bill was passed, which was rejected.

No. 147, House bill to amend and re-enact section 1, chapter 112 of an act approved March 28, 1903, in relation to changing the boundaries of wards in cities, and for increasing or diminishing the number thereof.

By unanimous consent the bill was taken up.

Mr. A. C. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS—Messrs.** Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Kezell, Machen, Mann, Massie, McIlwaine, Phlegar, Sadler, Shackelford, Shands, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—29.

**NAYS—None.**

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS—Messrs.** Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Kezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, St. Clair, Tavenner, Thomas, Walker, Wallace and Wickham—30.

**NAYS—None.**

No. 191, House bill to amend and re-enact section two of an act entitled "an act to incorporate the town of Fairmount, Henrico county," approved March 10, 1902.

Mr. HOBBS moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Garrett, Harman, A. C., Hobbs, Holt, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sheldford, Shands, St. Clair, Tavenner, Thomas, Walker and

NAYS—None.

By unanimous consent the bill was taken up.

Mr. HOBBS moved to dispense with the reading required by section 50 of the Constitution, and satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Kezell, Machen, Mann, Massie, McIlwaine, Opie, P. Sale, Shands, Tavenner, Thomas, Walker, Wallace and V

NAYS—None.

On his further motion, the bill was then passed by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Kezell, Machen, Mann, Massie, McIlwaine, Opie, P. Sale, Shackelford, Shands, Tavenner, Thomas, Walker and Ham—32.

NAYS—None.

No. 283, Senate bill to amend and re-enact an act to amend and re-enact article 10 of an act to incorporate the Phœbus, in Elizabeth City county, approved August 1, 1901.

Mr. HOLT moved that the Committee on Council Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Kezell, Machen, Mann, Massie, McIlwaine, Opie, P

ale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—32.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. HOLT moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—32.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—31.

NAYS—None.

No. 50, House bill to allow the street mileage in the town of Chase City, county of Mecklenburg, Va., to be included in mileage of county public roads, and to receive its pro ratable share of county road levy.

By unanimous consent the bill was taken up.

Mr. HUTCHESON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler,



Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace ham—32.

NAYS—None.

On his further motion, the bill was then passed, with its the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Henson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace ham—32.

NAYS—None.

No. 258, Senate bill to authorize the town of Harrisonburg county of Rockingham, or either of them, to appropriate money for the purpose of securing the location of a State Female Normal school at or near the town of Harrisonburg.

By unanimous consent the bill was taken up.

Mr. KEEZELL moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Hobbs, Holt, Hutcherson, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Sheldford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—31.

NAYS—None.

The bill was then ordered to be engrossed; and being so engrossed, on his further motion, was passed, with its the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Henson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace ham—32.

NAYS—None.

No. 115, House bill to amend and re-enact section 3129 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903.

By unanimous consent the bill was taken up.

Mr. MACHEN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—32.

NAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Wallace and Wickham—29.

NAYS—None.

No. 207, House bill to amend and re-enact section 10, chapter IV., of an act concerning public service corporations, approved January 18, 1904, providing for the appointment of police agents and making certain persons conservators of the peace.

By unanimous consent the bill was taken up.

Mr. MANN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—31.

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcherson, Machen, Mann, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham.

**NAYS**—None.

No. 220, House bill to repeal an act entitled “an act to re-enact an act to impose a fine for trespass of swine and in Rockfish district, Nelson county, approved February 1, 1900,” approved March 3, 1900.

Mr. MASSIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham.

**NAYS**—None.

By unanimous consent the bill was taken up.

Mr. MASSIE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham.

**NAYS**—None.

On his further motion, the bill was then passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30.

NAYS—None.

No. 5, House bill, to amend and re-enact sub-section 2 of section 70a, and section 2079 of the Code, as amended by an act approved May 14, 1903, entitled "an act to amend and re-enact chapter 95 of the Code of Virginia, in relation to the preservation of certain useful birds and animals, and to prevent unlawful hunting, and to repeal certain sections of the Code," &c., with committee amendments.

By unanimous consent the bill was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—year, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—29.

NAYS—None.

The committee amendments were adopted.

Mr. McILWAINE offered amendments, which were adopted.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 28; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—28.

NAYS—Mr. Ople—1.

No. 75, House bill for working and keeping in repair the public roads and bridges in the county of Appomattox.

By unanimous consent the bill was taken up, read the third time and passed with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keez, Massie, McIlwaine, Phlegar, Sadler, Sale, Shackelford, Shands, Thomas, Walker and Wickham—25.

**NAYS**—None.

No. 192, House bill to provide a new charter for the town, in the county of Roanoke, and repeal all acts or provisions inconsistent with the same.

Mr. PHLEGAR moved that the Committee on County Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Machen, Massie, McIlwaine, Phlegar, Rison, Sadler, Shackelford, Shands, Thomas, Walker, Wallace and Wickham—27.

**NAYS**—None.

By unanimous consent, the bill was taken up.

Mr. PHLEGAR moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 29; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Sadler, Sale, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—29.

**NAYS**—None.

On his further motion, the bill was then passed, with the following vote—yeas, 30; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30.

**NAYS**—None.

No. 196, House bill to amend and re-enact section 3059 of the Code, as amended by an act approved December 26, 1903, entitled "an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code as heretofore amended," and as further amended by an act approved February 23, 1904, in so far as the same applies to the 13th, 15th, 20th and 21st judicial circuits, with committee amendments.

By unanimous consent, the bill was taken up.

Mr. RISON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—28.

NAYS—None.

Mr. TAVENNER offered an amendment to the committee amendments, which was adopted.

The committee amendments, as amended, were then adopted.

On his further motion, the bill, as amended, was then passed, with its title, by the following vote—yeas, 30; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Sale, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—30.

NAYS—None.

No. 273, Senate bill to amend section 14 of chapter 1 of an act entitled "an act concerning corporations, as amended by an act to amend and re-enact section 14 of chapter 1 of an act entitled 'an act concerning corporations,' which became a law May 21, 1903, approved December 12, 1903.

By unanimous consent, the bill was taken up.

Mr. OPIE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Tavenner, Thomas, Walker, Wallace and Wickham—28.

**NAYS**—None.

Mr. ANDERSON offered an amendment, which was adopted. The bill, as amended, was then ordered to be engrossed. The bill, as amended, was then ordered to be engrossed, on his further motion, was passed, by the following vote—yeas, 28; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Phlegar, Rison, Sadler, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—28.

**NAYS**—None.

No. 161, Senate bill to authorize the board of supervisors of Henrico to levy taxes on dogs in said county to provide for the collection of the same.

Mr. SADLER moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Sale, Shackelford, Tavenner, Thomas, Walker, Wallace and Wickham—27.

**NAYS**—None.

By unanimous consent, the bill was taken up.

Mr. SADLER moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Tavenner, Thomas, Walker, Wallace and Wickham—28.

chen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—28.

YAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Mchen, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

No. 65, House bill to amend and re-enact section 2197, chapter 99, of the Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 30, 1890, and by an act approved February 14, 1896, so as to require the cremation or burial of all animals or fowls that die from contagious or infectious diseases, and fixing the penalties for violation thereof.

Mr. SHACKELFORD moved that the Committee on General Laws be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Opie, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker and Wallace—23.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. SHACKELFORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIl-



waine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tave-  
Walker and Wallace—25.

NAYS—None.

Mr. SHACKELFORD offered an amendment, which was  
On his further motion, the bill, as amended, was taken  
with its title, by the following vote—yeas, 15; nays, 6.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Cromwell, Harman,  
Keezell, Machen, Massie, McIlwaine, Opie, Rison, Shackelford  
Walker—15.

NAYS—Messrs. Chapman, Garrett, Hutcheson, Sadler, Shands,  
Wallace and Wickham—8.

Mr. CHAPMAN moved to reconsider the vote by which the  
rejected.

Mr. GUNTER moved to pass the motion by, which was  
No. 160, House bill to submit to the qualified voters of the  
precinct of Windsor, in the county of Isle of Wight, at a  
election to be held therefor, the question of the establishment of a  
dispensary for the sale of intoxicating liquors in the town of  
and in the event of a majority of those voting at said  
for said dispensary, then further to provide for the location  
and conduct of the same, and to prohibit thereafter, within  
ing precinct, or within one mile of its limits, the sale,  
change of intoxicating liquors, by all persons, firms or  
except as provided herein.

Mr. SHANDS moved that the Committee on Finance be  
discharged from further consideration of the bill, which was  
to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell,  
Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen,  
waine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tave-  
Walker, Wallace and Wickham—25.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. SHANDS moved to dispense with the reading of the bill  
required by section 50 of the Constitution, and the Senate  
satisfied that an emergency exists, it was agreed to by the  
vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

On his further motion, the bill was then passed, with its title, the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

No. 248, Senate bill to validate and legalize the issue of certain bonds of Bristol, Virginia, of date June 1, 1903, and known as refunding and water works bonds.

By unanimous consent, the bill was taken up.

Mr. BYARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker and Wallace—26.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—25.

NAYS—None.

The bill was then ordered to be engrossed; and being engrossed, on his further motion, was passed, with its title following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keeze, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shand, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

No. 161, House bill to authorize the supervisors of Carroll county to grant permission for a monument to the Confederate soldiers said county to be erected in the courthouse square of said county and to make appropriation thereto.

By unanimous consent, the bill was taken up.

Mr. WICKHAM moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavernier, Walker, Wallace and Wickham—26.

NAYS—None.

On his further motion, the bill was then passed, with its title following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavernier, Walker, Wallace and Wickham—26.

NAYS—None.

Mr. ANDERSON presented the following joint resolution:  
Resolved by the Senate (the House of Delegates concurring):  
That the Superintendent of the Penitentiary is authorized and directed to furnish to the Superintendent of Public Instruction the State Law Librarian so many convicts, with necessary

Mr. WALLACE, by unanimous consent, presented No. 290, Senate bill to authorize the city of Fredericksburg, Virginia, to issue coupon or registered bonds of the city for the purpose of improving and enlarging the city water works, and for improving the city gas works.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. WALLACE moved that the Committee on Special, Private and Local Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—26.

NAYS—None.

The bill was referred to the Committee on County, City and Town Organization.

Mr. WALLACE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—26.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. WALLACE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, McIlwaine, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—26.

NAYS—None.

The bill was then ordered to be engrossed; and engrossed, on his further motion, was passed, with following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, C. Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Massie, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Thomas, Walker, Wallace and Wickham—27.

NAYS—None.

No. 161, House bill to authorize the supervisors of said county to be erected in the courthouse square and to make appropriation thereto.

By unanimous consent, the bill was taken up.

Mr. WICKHAM moved to dispense with the reading required by section 50 of the Constitution, and satisfied that an emergency exists, it was agreed to vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, C. rett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Walker, Wallace and Wickham—26.

NAYS—None.

On his further motion, the bill was then passed by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, C. rett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, McIlwaine, Opie, Phlegar, Rison, Sadler, Shackelford, Shands, Walker, Wallace and Wickham—26.

NAYS—None.

Mr. ANDERSON presented the following joint resolution Resolved by the Senate (the House of Delegates concurring) That the Superintendent of the Penitentiary be directed to furnish to the Superintendent of Public Instruction the State Law Librarian so many convicts, with

may be necessary to remove the property of the Department of Public Instruction from the Library Building to the Marshall House, and the Law Library property to the rooms now occupied by the Department of Public Instruction and the room on the second floor next to the Library next to the Department of Public Instruction now used by the Adjutant-General, and to remove the property from the present room to the room next the present Law Library and used in connection therewith: provided, that no contract of the State be impaired by the use of such convicts, which was adopted.

Mr. WICKHAM moved that when the Senate adjourns to-day that it adjourn to meet at 11 o'clock A. M. to-morrow, which was agreed to.

No. 288, Senate bill to repeal an act entitled an act requiring suitable fish ladders upon the dam across Goose creek, at Leesville, Campbell county.

Mr. THOMAS moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—25.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. THOMAS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Massie, Ople, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—25.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Guntter, Harman, A. C., Hobbs, Hutcheson, Keezell, MacOpie, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Walker, Wallace and Wickham—25.

NAYS—None.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow at 11 o'clock A. M.

THURSDAY, MARCH 10, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.  
Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by which it was read as follows:

*In House of Delegates, March 10, 1904.*

The House of Delegates has rejected Senate bill entitled "an act to provide for the appointment of the Auditing Committee for in section 68 of the Constitution, and imposing upon the Auditor additional duties in investigating the methods of accounting in the State and its subdivisions by officers whose duty it is to receive and disburse the public revenues, No. 125.

They have agreed to the amendments proposed by the House bill entitled an act to amend and re-enact an act passed March 21, 1836, entitled "an act to incorporate the town of Spotsylvania county of Botetourt (now in Roanoke county), and all acts and ordinances thereof, No. 72.

They have agreed to the substitute proposed by the Senate amendments, to House bill entitled an act to amend section 525 of the Code of Virginia, as amended by an act approved February 27, 1896, as further amended by an act approved February 3, 1896, as further amended by an act approved February 7, 1900, as further amended by an act approved January 24, 1900, as further amended by an act approved March 6, 1900, and as further amended by an act approved March 15, 1902, in relation to the collection of the commissioner of the revenue, No. 7.

They have passed, with amendments, Senate bills entitled

committee amendments were rejected. The bill was then re-  
with its title, by the following vote—yeas, 14; nays, 13.

ators who voted are:

—Messrs. Barksdale, Bryant, Campbell, Cromwell, Ford, Garrett, Har-  
C., Machen, Massie, McIlwaine, Sadler, Sale, Turner and Walker—14.

—Messrs. Anderson, Byars, Fulton, Greear, Gunter, Hobbs, Hutche-  
tteson, Revercomb, Sears, Tavenner, Thomas and Wallace—13.

ANDERSON moved to reconsider the vote by which the bill was  
d.

SALE moved to pass the motion by, which was agreed to.  
message was received from the House of Delegates by Mr.  
nman, who informed the Senate that that House had passed the  
ing joint resolution:

Resolved by the House of Delegates (the Senate concurring),  
the Senate will pass no Senate bill and the House will pass  
use bill after Friday, March 11, 1904, and that all legislation  
cease on Saturday, March 12, 1904, at 6 o'clock P. M."

McILWAINE offered the following amendment to the resolution:  
ke out the words "and that all legislation shall cease on Sat-  
March 12, 1904, at 6 o'clock P. M." and insert in lieu thereof,  
hat no bill shall be passed by either the House of Delegates or  
enate after 12 o'clock, noon, of Saturday, March 12, 1904,"  
was adopted.

resolution, as amended, was adopted.

SEARS was ordered to inform the House of Delegates.

McILWAINE, from the Committee for Courts of Justice, re-  
, without amendments,

287, Senate bill to amend and re-enact section 3214 of the  
of Virginia, as amended by an act approved December 10,  
which is chapter 409 of the Acts of the special session of  
1903-1904.

from the same committee, reported, with amendments,  
92, House bill to authorize persons appointed to office in va-  
by the judges of circuit courts to qualify before the clerk of  
court in his office, as well as before the judge thereof in vaca-

from the same committee, reported, with amendments  
93, House bill to amend and re-enact section 3609 of the Code  
rginia, in relation to, the lien of an execution and garnishment  
ss thereon.

from the same committee, reported, without amendments,  
114, House bill to amend and re-enact section 3630 of the



No. 9, Senate bill to amend and re-enact an act approved 23, 1903, entitled an act to amend and re-enact section 1 Code of Virginia regulating the practice of medicine and in Virginia, as amended and re-enacted by an act approved 7, 1900, with House substitute.

The bill was referred to the Committee on General Legislation.

No. 215, House bill to arbitrate damages arising between owners of stock when a trespass has been committed by said stock on the lands of another, was taken up and referred to the Committee on Courts of Justice.

No. 224, House bill to authorize the Board of Supervisors of Mecklenburg county to issue a duplicate bond, was taken up and referred to the Committee on County, City and Town Organization.

No. 225, House bill to incorporate and provide a charter for the town of Parksley, Virginia, was taken up and referred to the Committee on County, City and Town Organization.

No. 240, House bill to authorize the town of Tazewell to raise money, was taken up and referred to the Committee on County, City and Town Organization.

No. 243, House bill to provide for an election in Albemarle county for the purpose of taking the sense of the qualified voters on the question of authorizing the supervisors of said county to make an appropriation of \$5,000 to a State female normal school to be established in said county or in the city of Charlottesville, was taken up and referred to the Committee on County, City and Town Organization.

No. 198, House bill to authorize the State Corporation Commission to recall assessments made, and not to further assess and loan associations or companies with State franchise until the year 1904, with committee amendments.

By unanimous consent, the bill was taken up.

Mr. ANDERSON moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the yeas and nays—yeas, 24; nays, 1.

Senators who voted are:

YEAS—MESSRS. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Greear, Gunter, Harman, A. C., Hobbs, Keezell, McIlwaine, Ople, Sadler, Sale, Tavenner, Thomas, Turner, Wallace—24.

NAYS—Mr. Revercomb—1.

The committee amendments were rejected. The bill was then rejected, with its title, by the following vote—yeas, 14; nays, 13.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Campbell, Cromwell, Ford, Garrett, Harman, A. C., Machen, Massie, McIlwaine, Sadler, Sale, Turner and Walker—14.

**NAYS**—Messrs. Anderson, Byars, Fulton, Greear, Gunter, Hobbs, Hutcheon, Patteson, Revercomb, Sears, Tavenner, Thomas and Wallace—13.

Mr. ANDERSON moved to reconsider the vote by which the bill was rejected.

Mr. SALE moved to pass the motion by, which was agreed to.

A message was received from the House of Delegates by Mr. Churchman, who informed the Senate that that House had passed the following joint resolution:

“Resolved by the House of Delegates (the Senate concurring), That the Senate will pass no Senate bill and the House will pass no House bill after Friday, March 11, 1904, and that all legislation shall cease on Saturday, March 12, 1904, at 6 o'clock P. M.”

Mr. McILWAINE offered the following amendment to the resolution:

Strike out the words “and that all legislation shall cease on Saturday, March 12, 1904, at 6 o'clock P. M.” and insert in lieu thereof, “and that no bill shall be passed by either the House of Delegates or the Senate after 12 o'clock, noon, of Saturday, March 12, 1904,” which was adopted.

The resolution, as amended, was adopted.

Mr. SEARS was ordered to inform the House of Delegates.

Mr. McILWAINE, from the Committee for Courts of Justice, reported, without amendments,

No. 287, Senate bill to amend and re-enact section 3214 of the Code of Virginia, as amended by an act approved December 10, 1903, which is chapter 409 of the Acts of the special session of 1902-1903-1904.

He, from the same committee, reported, with amendments,

No. 92, House bill to authorize persons appointed to office in vacation by the judges of circuit courts to qualify before the clerk of such court in his office, as well as before the judge thereof in vacation.

He, from the same committee, reported, with amendments

No. 93, House bill to amend and re-enact section 3609 of the Code of Virginia, in relation to the lien of an execution and garnishment process thereon.

He, from the same committee, reported, without amendments,

No. 114, House bill to amend and re-enact section 3630 of the

Code of Virginia, as amended by an act entitled "an act and re-enact sections 3630 and 3636 of the Code of Virginia," approved January 1, 1904.

He, from the same committee, reported, with amendments.

No. 140, House bill to amend and re-enact an act entitled "an act to amend and re-enact section 3184 of the Code of Virginia," approved February 29, 1892, and to provide for the verification of the same.

He, from the same committee, reports, with an amendment.

No. 177, House bill to amend and re-enact section 333 of the Code of Virginia relating to bills of exceptions.

And he, from the same committee, reported, without amendment.

No. 204, House bill to amend and re-enact section 2 of an act entitled "an act to provide for the appointment of police justices in their jurisdiction in cities of a population of ten thousand or over, in which, by the terms of their charters, no provision is made for the election or appointment of police justices," approved December 31, 1903.

Mr. THOMAS presented the following resolution:

"Be it resolved by the Senate, That the Auditor of Public Accounts be, and is, hereby requested to furnish this body at the opening of the next session the following information:

"1. An itemized list of all debts due the State, which are now as non-collectible.

"2. An itemized list of all debts due the State which are now as collectible.

"3. The names of all officers who are delinquents and the amount of such delinquencies," which was adopted.

No. 60, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled "an act to provide for the building and keeping in repair the public roads and bridges in this county," was taken up, read the third time and passed without amendment, by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Garretton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Phlegar, Reverier, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker and W.

NAYS—None.

Mr. GREEAR moved to reconsider the vote by which the bill was passed, which was rejected.

No. 56, House bill to repeal sections 1295, 1296 and 1297 of the Code of Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 33; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker and Wallace—33.

NAYS—None.

No. 57, House bill to repeal sections 1334, 1335 and 1336 of the Code of Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 33; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker and Wallace—33.

NAYS—None.

Mr. MANN presented the following resolution:

Resolved, That Senate rule No. 33, requiring that House bills shall remain under the control of the Senate for the space of two days, be suspended for the remainder of this session, which was adopted.

No. 58, House bill to repeal sections 1304, 1305 and 1309 of the Code of Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 35; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—35.

NAYS—None.

No. 59, House bill to repeal chapter 817 of the Acts of the General Assembly of 1897-98, approved March 3, 1898; chapter 404 of the Acts of the General Assembly of the extra session of 1898-99, approved February 16, 1901; chapter 4 of the Acts of the General Assembly of 1895-6, approved December 14, 1895; chapter 403 of the Acts of the General Assembly of 1895-6, approved February 14, 1896; chapter 405 of the Acts of the General Assembly of 1895-6, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-8, approved March 3, 1898, was read the third time and passed, with its title, by the following yeas, 35; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbins, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patten, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Walker, Wallace and Wickham—35.

**NAYS**—None.

Mr. THOMAS presented the following resolution:

Whereas, the granting of aid or making appropriation for other than those owned and controlled by the State and its subdivisions, is in contravention of the sound governmental principles, and no appropriation should be made by the General Assembly for schools other than those owned and controlled by the State and its subdivisions; therefore, be it

Resolved by the Senate (the House concurring), That the appropriation to William and Mary College for the payment of 6 per cent. interest on certain bonds held by the State for schools and colleges under act of February 23, 1892, be continued, and the State indirectly pays to these schools and colleges near \$100,000 per annum.

No. 61, House bill to repeal sections 1106, 1107, 1108, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1122 and 1123; section 1124, as amended by an act approved January 13, 1890; sections 1125, 1126, 1127, 1128, 1129, 1132, 1133 and 1134; section 1135, as amended by an act approved January 9, 1896; sections 1136, 1137, 1138, 1139, 1142, 1143 and 1144; section 1145, as amended by an act approved February 20, 1892, and by an act approved January 17, 1902; and by an act approved April 2, 1902; sections 1146 and 1147.

148, as amended by an act approved February 17, 1890: sections 149, 1150, 1151, 1152 and 1153 of chapter 47 of the Code of Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 35; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Kezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—35.

**NAYS**—None.

No. 104, House bill to prohibit the establishment, location or maintenance of small-pox hospitals or pest-houses within fifty yards of any street, public road, public park, or public cemetery in any city, town or county of the Commonwealth or to hereafter establish any such hospital or pest-house within one hundred and fifty yards of any public road, public park, or cemetery in any county of the Commonwealth, was taken up, read the third time and passed, with its title, by the following vote—yeas, 35; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Kezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—35.

**NAYS**—None.

A message was received from the House of Delegates by Mr. Griffith, who informed the Senate that that House had passed the following joint resolution:

Whereas, it appears by the records of the Hustings Court of city of Richmond, in the criminal proceedings of said court, which were instituted by the Commonwealth of Virginia against one Joseph H. Sheppard, a former clerk to the Auditor of Public Accounts of Virginia, and from other records in the said Auditor's office, that the said Joseph H. Sheppard has been guilty of embezzling large sums of public money, belonging to the State of Virginia; and, whereas, it has been brought to the attention of members of the House of Delegates of Virginia that several thousand dollars belonging to the

said Sheppard may be recovered to the State, if leg promptly instituted for that purpose; therefore,

Resolved by the House of Delegates (the Se That the Attorney-General of Virginia be, and requested to investigate this matter at once, and to proceedings as, in his judgment, the facts in the to recover such sum or sums of money as he may payment of any part of the money so embezzled.

Resolved, 2. That the Attorney-General of the Virginia be, and he is, hereby requested and ins gate the liability, if any, of the said Auditor and Commonwealth, and he shall report to the Gove days his opinion. And if the Attorney-General sh there is a liability upon said Auditor and sureties, direct the Attorney to institute legal proceedings of all funds caused by reason of said defalcation, w to the Committee for Courts of Justice.

No. 62, House bill to repeal chapter 630 of the eral Assembly of 1893-4, approved March 5, 189 the Acts of the General Assembly of 1887-8, a 23, 1888; chapter 373 of the Acts of the Gen 1887-8; chapter 52 of the 1888; chapter 450 of General Assembly of 1887-8, approved March 6, of the Acts of the General Assembly of 1889-90, ary 17, 1890; chapter 167 of the Acts of the Ge 1889-90, approved March 3, 1890; sections 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapte of the General Assembly of 1891-2, approved Mar ter 52 of the Acts of the General Assembly of January 22, 1894; chapter 737 of the Acts of the of 1893-4, approved March 5, 1894; chapter 277 General Assembly of 1895-6, approved February ter 181 of the Acts of the General Assembly of February 1, 1898, as amended by an act approv 1899, and by an act approved March 13, 1903; c Acts of the General Assembly of 1899-1900, app 1900, as amended by an act approved February 312 of the Acts of the General Assembly of 18 February 9, 1900, as amended by an act appro 1901; chapter 328 of the Acts of the General A 1900, approved February 14, 1900; chapter 880 General Assembly of 1899-1900, approved March

25, House bill to have plats of oyster planting grounds en-  
 "abandoned" under certain conditions, was taken up, read  
 rd time and passed, with its title, by the following vote—  
 6; nays, 0.

—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massele, McIlwaine, Noel, Opie, Pattenon, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Turner, Walker, Wallace and Wickham—36.

message was received from the House of Delegates by Mr. [redacted] man, who informed the Senate that that House had passed [redacted] 0, Senate bill to amend and re-enact an act approved March [redacted] 0, entitled "an act to provide for the establishment, alteration, discontinuance and working and keeping in repair the roads and bridges of Giles county, and to punish obstructions of the road commissioners in the discharge of their duties," and also to punish officials of Giles county for any neglect of their official duties, [redacted] substitute.

tors who voted are:

—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Machen, Mann, Massie, McIlwaine, Noel, Ople, Pattenon, Phlegar, Rmb, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Turner, Walker, Wallace and Wickham—36.

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A message was received from the House of Delegates, Thornhill, who informed the Senate that that House to concur in Senate substitute to No. 75, House bill for keeping in repair the public roads and bridges in the Appomattox.

On motion of Mr. BARKSDALE, the Senate insisted on the substitute and asked for a committee of conference.

And he was ordered to inform the House of Delegates.

A message was received from the Governor, by his secretary, as follows:

## GOVERNOR'S OFFICE,

*Richmond, March*

*To the Senate:*

I hereby appoint, subject to your confirmation, as members of the Board of Visitors of the Virginia Agricultural and Mechanical College and Polytechnic Institute, J. F. Ryan, of Loudoun; Brockenbrough, of Essex; J. S. Musgrave, of Southampton; M. Cloyd, of Pulaski, each for a term of two years, beginning July 1, 1904; and J. Thompson Brown, of Bedford; Wyndham Harrison, of Washington; J. Cullen Carrington, of Charlotte; Watkins, of Chesterfield, each for a term of four years, beginning July 1, 1904.

A. J. MONROE

*To the Senate:*

I hereby appoint, subject to your confirmation, as members of the Board of Trustees of the State Female Normal School, Walker, of Montgomery; John Jackson, of Richmond; J. H. Ineson, of Newport News; E. C. Glass, of Lynchburg; Vawter, of Albemarle; H. C. T. Richmond, of Lee; J. S. Musgrave, of Pittsylvania, each for a term of two years, beginning July 1, 1904; and Robert Turnbull, of Brunswick; Rev. J. H. D. D., of Richmond; C. Harding Walker, of Northampton; S. Ware, of Clarke; Wm. E. Anderson, M. D., of Prince George; Edward S. Turner, of Fauquier, for a term of four years, beginning July 1, 1904.

(Signed) A. J. MONROE

No. 29, House bill for the protection of pheasants and other birds imported for propagation, was taken up, read the title, and passed, with its title, by the following vote—yeas,

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—36.

**NAYS**—None.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county," was taken up, read the third time and passed, with its title, by the following vote—yeas, 36; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—37.

**NAYS**—None.

No. 155, House bill for the relief of corporations from excessive or erroneous charter fees, was taken up, read the third time and passed, with its title, by the following vote—yeas, 37; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—37.

**NAYS**—None.

No. 130, House bill to provide for the removal of the Houdon statue of Washington from the Capitol to the Library building, or to some other place, was taken up, read the third time and passed, with its title, by the following vote—yeas, 27; nays, 1.

Senators who voted are:

**YEAS**—Messrs. Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Mann, Massie, McIlwaine, Opie, Patteson, Phlegar, Sadler, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—27.

**NAYS**—Mr. Barksdale—1.

Mr. WICKHAM, from the committee of conference, on House bill, presented the following report:

The undersigned committee of conference, on the votes between the House of Delegates and the Senate on No. 127, appropriating public revenue, etc., respectfully the following report:

We recommend that—

1. That the House of Delegates concur in Senate amendments Nos. 1 and 2.
2. The Senate recede from amendment No. 3, and thereof the following amendment be adopted: Add at line 29, page 15, the following, "five hundred dollars or may use for clerks' hire."
3. The House concur in Senate amendments Nos. 4, 5,
4. The Senate recede from its amendment No. 9.
5. The House concur in Senate amendments Nos. 10, 14, 15, 16 and 17.
6. The Senate recede from its amendment No. 17 1-2.
7. The House concur in Senate amendments Nos. 18
8. The Senate recede from its amendment No. 20.
9. The House concur in Senate amendment No. 21.
10. The Senate recede from its amendment No. 22.
11. The House concur in Senate amendments Nos. 26, 27, 28, 29, 30 and 31.
12. The Senate recede from its amendment Nos. 32 and in lieu thereof recommend the following amendment adopt out the words 'thirteen thousand six hundred and fifty dollars' and insert in lieu thereof the words 'fourteen thousand or and fifty dollars.'
13. The House concur in Senate amendment No. 34.
14. The Senate recede from its amendment No. 35, and thereof recommend the adoption of the following amendment 29 strike out the words 'five hundred.'
15. The House concur in Senate amendments Nos. 36 and 39.
16. The Senate recede from its amendment No. 40.
17. The House concur in Senate amendments Nos. 41, 44, 45, 46, 47 and 48.
18. The Senate recede from its amendment No. 49.
19. The House concur in Senate amendments Nos. 50
20. The Senate recede from its amendment No. 52.
21. The House concur in Senate amendment No. 53.
22. The Senate recede from its amendment No. 54.

23. The House concur in Senate amendments Nos. 55, 56, 57, 59 and 60.

H. T. WICKHAM,  
JOHN S. CHAPMAN,  
ARTHUR A. PHLEGAR,  
*Conferees on Part of Senate.*

WM. H. BOAZ,  
R. G. TURPIN,  
J. T. LACY,  
*Conferees on Part of House.*

On motion of Mr. WICKHAM, the Senate adopted the report of the committee of Conference by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Greear, Gunter, Harman, A. C., Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Patteson, Phlegar, Sadler, Sale, Sears, Shackelford, Tavenner, Walker, Wallace and Wickham—27.

NAYS—None.

On motion of Mr. WICKHAM, the Senate adopted the report of the hereof.

A message was received from the House of Delegates by Mr. Boaz, who informed the Senate that the House had adopted the report of the Conference Committee on No. 127, House bill.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor or surveyors and making an appropriation for compensation of the same, approved March 28, 1902, with committee amendments, was taken up and committee amendments adopted.

Mr. KEEZELL offered an amendment, which was adopted.

The bill was then read the third time and passed, with its title, by the following vote—yeas, 37; nays, 0.

Senators who voted are:

YEAS—Messrs. Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Hobbs, Holt, Hutcheson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—37.

NAYS—None.

A message was received from the House of Delegates Kelley, who informed the Senate that that House had agreed to the request of the Senate for a committee of conference on the House bill.

The President appointed Messrs. BARKSDALE, SALE and CAMM PATTESON as a committee of conference on the part of the Senate.

Mr. BARKSDALE, from the committee of conference on No. 75, presented the following report:

The conference committee appointed by the Senate agreed upon the disagreeing vote of the two Houses upon House bill No. 75, and report as follows:

We recommend that the House agree to the substitute proposed by the Senate.

W. W. SALE,  
CAMM PATTESON,  
WILLIAM P. BARKSDALE,

Conferees on the part of the Senate.

S. L. KELLEY,  
BLACKBURN SMITH,

Conferees on the part of the House.

Which was adopted by the following vote—yeas, 35; nays, none.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Hobbs, Hinson, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Patteson, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Wallace and Wickham—35.

**NAYS**—None.

Mr. BARKSDALE was ordered to inform the House of the result thereof.

Mr. PHLEGAR presented the following resolution:

Resolved, That at the session beginning at 3:30 this afternoon the roll shall be called, beginning at the bottom and as his name is called each Senator shall have the privilege of calling up one local or uncontested bill, which shall be considered, and no other bill shall be considered at that session, and there shall be no adjournment until midnight.

Which was rejected by the following vote—yeas, 14; nays, none.

ators who voted are:

—Messrs. Byars, Chapman, Ford, Garrett, Gunter, Harman, A. C., Keenann, McIlwaine, Phlegar, Sears, Shands, Turner and Wickham—14.

—Messrs. Anderson, Barksdale, Bryant, Campbell, Cromwell, Fulton, Hutcheson, Machen, Massie, Patteson, Revercomb, Rison, Sadler, Sale, Welford, Tavenner and Thomas—18.

other business having been suspended, the President in the presence of the Senate, signed the following bills, which had been passed by both Houses of the General Assembly and duly enrolled, the copies of said bills having been publicly read.

184, House bill to amend and re-enact section 5 of the charter of the city of Richmond, as amended and re-enacted by an act approved March 29, 1871, as amended and re-enacted by an act approved December 12, 1903, relating to the election of municipal

64, House bill to provide for the extension of the corporate limits of cities and towns.

158, House bill to authorize the city of Portsmouth to issue bonds to build a school house and for other purposes.

211, House bill to amend and re-enact an act entitled "an act to provide for the working and repairing of public roads and bridges in Accomack county, approved February 20, 1892.

137, House bill to amend and re-enact section 607 and 608 of the Code of Virginia, in relation to lists of property delinquent for

94, Senate bill to appropriate the sum of \$55,000.00 to add to and improve the building of the State Female Normal School, at Williamsburg, and to increase the annual appropriation to said school from \$25,000 to \$30,000.

135, House bill to exempt persons conducting temporary eating and lodging houses, horse lots and confectioneries at religious gatherings from license tax.

162, House bill to authorize the board of supervisors of Carroll county to levy an additional capitation tax of one dollar per annum to be applied in aid of public schools in said county, or for other county purposes as they shall determine.

149, Senate bill to authorize the town of Salem and the county of Roanoke, or either of them to appropriate money for the purpose of securing the location of a State female normal school, at the town of Salem, and to authorize the issue of bonds in connection therewith.

236, Senate bill to punish the wilful or malicious taking or carrying away of the waste or packing from out any journal-box, or boxes,

of any locomotive, engine, tender, carriage, coach or truck used or operated upon any railroad which is operated by steam or electricity.

No. 105, Senate bill to authorize the town of \_\_\_\_\_ bonds not liable to corporation taxation, and to borrow money for purposes of establishing water works for said town, and for other purposes.

No. 210, House bill to amend and re-enact an act passed March 2, 1902, entitled "an act to amend and re-enact an act to provide a road law for Campbell county, passed March 1900," providing and regulating a road board for said county, directing the disbursement of the county road fund.

No. 37, House bill to extend the terms of county commissioners and to authorize them to complete such terms before them for settlement, and return them to the circuit courts.

No. 219, House bill to authorize the city of \_\_\_\_\_ on certain streets, to allow an overhead steel bridge over \_\_\_\_\_ of Main street in said city, to permit the Chesapeake and Potomac Telephone Company to erect a new passenger depot in \_\_\_\_\_ ascertain and pay damages, if any, resulting therefrom.

No. 96, Senate bill to provide for lists of all persons liable to their State poll taxes, and for posting the same, and for compensation therefor.

The hour of 2 o'clock having arrived, the chair retired at 3:30 o'clock P. M.

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## EVENING SESSION.

THURSDAY, MARCH 10, 1904

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

No. 138, Senate bill to amend and re-enact an act passed March 1, 1902, to make husband and wife competent witnesses for each other in certain civil and criminal cases, approved March 1, 1902, was taken up, read the third time and passed, with the following vote—yeas, 17; nays, 5.

tors who voted are:

—Messrs. Anderson, Barksdale, Byars, Campbell, Cromwell, Gunter, A. C., Holt, Massie, Ople, Revercomb, Rison, Sears, Shands, Tavenner, Thomas and Walker—17.

—Messrs. Chapman, Ford, Mann, Sadler and Wallace—5.

BARKSDALE moved to reconsider the vote by which the bill passed, which was rejected.

On motion of Mr. CAMPBELL, he was ordered to inform the House of Delegates thereof.

109, Senate bill to amend, revise and re-enact sections ninety-six and twenty-eight of the charter of the town of Pocahontas, in Tazewell county, Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 30; nays, 0.

tors who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Greear, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Mann, Massie, Ople, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—30.

—None.

BYARS was ordered to inform the House of Delegates thereof. 115, Senate bill to authorize and empower the council of the town of Pocahontas, Virginia, to sell a strip of eight feet on the north side of Centre street, from St. Clair street to what is known as Philadelphia Row, in order to straighten said Centre street and make the same of uniform width, and to provide that the fund arising from same shall go to the benefit of the public school of the town, was taken up, read the third time and passed, with its title, by the following vote—yeas, 31; nays, 0.

tors who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Greear, Gunter, Harman, A. C., Holt, Hutcheson, Keezell, Mann, Massie, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

—None.

BYARS was ordered to inform the House of Delegates thereof. 222, Senate bill to amend and re-enact section 3932 of the



Code of Virginia of 1887, relating to chain-gangs, and work in them, as amended and re-enacted by an act approved December 24, 1903, entitled an act to amend and re-enact sections 3916, 3918, 3922, 3929, 3932 and 3933 of the Code of Virginia, was taken up, read the third time and passed, with its title, by the following vote—yeas, 21; nays, 0.

**Senators who voted are:**

**YEAS**—Messrs. Anderson, Barksdale, Byars, Chapman, Ford, Gatter, Harman, A. C., Holt, Hutcheson, Mann, Massie, Ople, Revercomb, Sadler, Sears, Thomas, Turner, Walker and Wickham—21.

**NAYS**—None.

No. 30, House bill to require the owner or owners of wharves to provide thereat suitable accommodations for the use of steamboats using the same, with committee amendments taken up and read the second time.

Mr. SEARS offered an amendment to the committee amendments which was adopted.

The committee amendment, as amended, was then adopted.

No. 35, House bill to define and determine the nature of the beds, rocks and shoals of the State, to provide for an inventory and examination of certain public grounds within the State, to determine what part of such grounds are suitable for beds, rocks or shoals, and what part barren ground; to provide for leasing such barren ground to citizens of the State, to provide for a special joint committee to carry into effect the provisions of the act, and to appropriate money to defray the expenses incurred under.

On motion of Mr. BARKSDALE, the bill was passed by.

No. 78, House bill to amend and re-enact section 17 of the Constitution, entitled "an act to raise revenue for the support of the general and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by article 189 of the Constitution," approved April 16, 1903, as amended by an act entitled "an act to raise revenue," etc., approved December 12, 1903, was taken up, read the second time and, on motion of Mr. KEEZELL, indefinitely postponed.

No. 96, House bill to prohibit the sale of intoxicating liquors on Sunday, was taken up and read the second time.

Mr. KEEZELL moved to indefinitely postpone the bill, which was rejected by the following vote—yeas, 12; nays, 14.

ators who voted are:

—Messrs. Anderson, Campbell, Fulton, Gunter, Keezell, Mann, Sadler, Thomas, Walker, Wallace and Wickham—12.

—Messrs. Barksdale, Chapman, Cromwell, Harman, A. C., Holt, Massie, Patteson, Phlegar, Revercomb, Rison, Sale, Shands and —14.

message was received from the House of Delegates by Mr. [unclear], who informed the Senate that that House had agreed to the [unclear] of the conference committee on No. 75, House bill, and had agreed to the Senate amendment to House joint resolution relating to adjournment.

ANDERSON, from the committee of conference on No. 2, House bill, presented the following report:

*The Senate and House of Delegates of Virginia:*

Our committee appointed to consider the disagreeing votes of the Senate and the House on No. 2, House bill in relation to State territories, beg leave to report as follows:

It is respectfully recommended that the Senate recede from Senate bill No. 2, House bill, and that the House agree to the following amendments to said bill:

First. That all after the word "Virginia," on page 2, section 1, line 14, be stricken out down to the word "but" on page 3, line 18.

Second. That there be inserted after the word "condition" on page 3, line 27, the words "to pay the State not less than two and one-half per centum per annum on daily balances, and."

Third. Page 3, line 38, strike out the word "hereinafter" and insert "hereinbefore" in its place.

Fourth. Page 4, line 64, strike out "hereinafter" and insert "hereinbefore" in its place.

Fifth. Amend title to correspond to enacting clause.

- Respectfully submitted,

GEORGE WAYNE ANDERSON,  
GEORGE B. KEEZELL,  
S. W. HOLT,

*On Part of the Senate.*

A. M. BOWMAN,  
A. VON N. ROSENEGK,

*On Part of the House.*

Which was adopted by the following vote—yeas, 22; n

Senators who voted are:

YEAS—Messrs. Anderson, Campbell, Chapman, Cromwell, Fo  
Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Patteson, Phil  
Sadler, Sale, Tavenner, Thomas, Turner, Walker and Wallace—2

NAYS—None.

Mr. ANDERSON was ordered to inform the House of  
thereof.

A message was received from the House of Delegates  
Bowman, who informed the Senate that that House had  
report of the conference committee on No. 2, House bill  
State depositories.

A message was received from the House of Delegates  
Smith, who informed the Senate that that House had  
following bills:

No. 237, House bill to amend and re-enact section 7 of  
ter of the town of Luray, Page county, Virginia, as am  
re-enacted by an act approved March 5, 1904.

No. 275, House bill to empower the council of the town  
ville to submit, at a special election, to the qualified voters  
town whether or not said town shall buy the plant and fr  
the Battletown Gas Company, and to borrow money to pay  
or to issue bonds therefor, provided the same can be s  
\$5,500.

No. 264, House bill to incorporate the town of Madison  
in Amherst county.

The bills were taken up and referred to the Committee on  
City and Town Organization.

All other business having been suspended, the President  
presence of the Senate, signed the following bills, which  
passed by both Houses of the General Assembly and duly  
the titles of said bills having been publicly read.

No. 143, Senate bill to amend and re-enact sections 14  
1445, 1449, 1450, 1454, 1459, 1466, 1484 and 1515 of th  
Virginia, as amended by an act entitled an act to amend an  
chapter 66 of the Code of Virginia, relating to public fr  
for counties and to the literary fund," approved December

No. 116, House bill to amend and re-enact section 39  
Code of Virginia, as amended by an act approved Feb  
1898, and by an act approved February 9, 1900, and by  
proved February 16, 1901; section 3958 and section

ed by an act approved February 23, 1894, and by an act approved March 5, 1896, and by an act approved February 9, 1898, and by an act approved March 5, 1900, and by an act approved December 10, 1903.

72, House bill to amend and re-enact an act passed March 21, 1894, entitled "an act to incorporate the town of Salem, in the county of Botetourt (now in Roanoke county), and all acts amendatory thereof.

163, House bill to authorize and empower the board of supervisors of Nelson county to appropriate and contribute money for the purpose of aiding in the erection of a monument to the Confederate soldiers of said county.

MR. RISON moved that the chair be vacated at 6 o'clock and re-assembled at 8 o'clock P. M., and at the evening session the roll be called in the reverse order, and that each Senator as his name is called be allowed to take up one uncontested bill, which was agreed to.

MR. SALE presented the following resolution:

Resolved, it is proposed to hold in the State of Oregon a National Exposition, to celebrate the approaching one hundredth anniversary of the discovery and exploration of the great country now forming the northwestern portion of the United States; and

Resolved, that notable feat was accomplished, in the exercise of the best qualities of courage, perseverance and intelligence by the late Meriwether Lewis and William Clark, two famous sons of Virginia, under the auspices of that other great Virginian, Thomas Jefferson, President of the United States; and

Resolved, it is fitting that Virginia should in some way manifest her interest in this proposed commemoration of the achievements of her illustrious sons; now, therefore, be it

Resolved by the Senate and the House of Delegates of Virginia, that the Commissioners of the Virginia exhibit at the St. Louis Fair and Exposition be, and they are, hereby authorized to erect and display said exhibit at said Oregon Exposition, after the closing of the St. Louis Exposition, and to use and expend for the purpose such portion of the fund heretofore appropriated for the said exhibit at St. Louis as may remain unused, after providing for said exhibit at St. Louis.

At 6 o'clock having arrived, the chair was vacated until 8 o'clock P. M.

## NIGHT SESSION.

THURSDAY, MARCH 10, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

No. 199, House bill to amend and re-enact an act of January 2, 1904, entitled "an act to provide for the release for sale of personal property, docketed under section 10 of the Code of Virginia, approved 28th day of February, 1896."

Mr. WICKHAM moved to dispense with the reading required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Chapman, Cromwell, Ford, Fulton, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Revercomb, Rison, Sale, Shands, Tavenner, Thomas, Turner, Wickham—24.

NAYS—None.

Mr. RISON offered an amendment, as follows:

In line 22, page 3, strike out "vendee" and insert "debtor," which was rejected by the following vote—yeas, 7; nays, 17.

Senators who voted are:

YEAS—Messrs. Byars, Cromwell, Garrett, Massie, Rison, and Shands—7.

NAYS—Messrs. Chapman, Ford, Fulton, Greear, Gunter, Harman, Keezell, Machen, Mann, Phlegar, Revercomb, Tavenner, Turner, Wickham—16.

On his further motion, the bill was then passed, with the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Byars, Chapman, Cromwell, Ford, Fulton, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Wickham—25.

NAYS—None.

No. 30, House bill to require the owner or owners of steamboat harves to provide thereat suitable accommodations for the patrons f steamboats using the same.

Mr. WALKER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being atisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—26.

NAYS—None.

On his further motion, the bill was then passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—26.

NAYS—None.

No. 237, House bill to amend and re-enact section 7 of the charter of the town of Luray, Page county, Virginia, as amended and re-enacted by an act approved March 5, 1894.

Mr. TURNER moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26, nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—26.

NAYS—None.

Mr. TURNER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to by the vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven Turner, Walker, Wallace and Wickham—26.

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 27; nays, 0,,

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven Turner, Walker and Wickham—27,

NAYS—None.

House Joint Resolution:

Whereas, it appears by the records of the Hustings Court of the city of Richmond, in the criminal proceedings of said court, that were instituted by the Commonwealth of Virginia against Joseph Sheppard, a former clerk to the Auditor of public Accounts of Virginia, and from other records in the said Auditor's office, that said Joseph Sheppard has been guilty of embezzling large sums of public money, belonging to the State of Virginia; and

Whereas, it has been brought to the attention of members of the House of Delegates of Virginia that several thousand dollars long owing to the said Shepherd may be recovered to the State; and proceedings are promptly instituted for that purpose; be it

Resolved, by the House of Delegates, the Senate concurring, That the Attorney-General of Virginia be, and he is, hereby requested to investigate this matter at once, and to institute such legal proceedings as, in his judgment, the facts in the case may warrant, to recover such sum or sums of money as he may find, subject to the payment of any part of the money so embezzled;

Resolved, second, That the Attorney-General of the Commonwealth of Virginia be, and he is, hereby requested and instructed to investigate the liability, if any, of the said auditor and his successors in the Commonwealth, and he shall report to the Governor with

his opinion. And if the Attorney-General shall be of opinion there is a liability upon said Auditor and sureties, the Governor shall direct the attorney to institute legal proceedings for the recovery of all funds caused by reason of said defalcation.

THOMAS moved that the Committee for Courts of Justice be discharged from further consideration of the resolution, which was agreed to by the following vote—yeas, 21; nays, 0.

Members who voted are:

—Messrs. Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Keezell, Machen, Mann, Massie, Revercomb, Rison, Tavenner, Thomas, Turner, Walker and Wickham—21.

—None.

The resolution was then adopted.

A message was received from the House of Delegates by Mr. BART, who informed the Senate that that house had passed 144, House bill to provide punishment for maliciously or unlawfully shooting at, or throwing stones or other missiles at or against any train or car of any railroad or other transportation company or at or against any vessel or river craft.

145, House bill to amend and re-enact section 3725 of the Code of 1877, as amended and re-enacted by an act approved March 3, 1896, and as further amended and re-enacted by an act approved March 5, 1896, to provide punishment for maliciously or unlawfully damaging or injuring any part of a canal or railroad or any bridge thereon, or for maliciously or unlawfully obstructing, tampering with or injuring any machinery, engine, car or work thereof, or maliciously or unlawfully opening, closing, displacing, tampering with or injuring any switch, switch point or switch lever or signal of a railroad company.

The bills were referred to the Committee for Courts of Justice.

100, House bill for the protection of squirrels in Southampton and Wight counties.

SHANDS moved that the Committee on County, City and Town Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, 0.

Members who voted are:

—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-



Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. SHANDS moved to dispense with the reading of required by section 50 of the Constitution, and the S satisfied that an emergency exists, it was agreed to by th vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven Turner, Walker and Wickham—27.

NAYS—None.

Senate Joint resolution:

Whereas, it is proposed to hold, in the State of Ore tional Exposition, to celebrate the approaching one hun niversary of the discovery and exploration of the gr now forming the northwestern portion of the United State

Whereas, that notable feat was accomplished, in the the highest qualities of courage, perseverance and inte Meriwether Lewis and William Clark, two famous sons c under the auspices of that other great Virginian, Thoma then President of the United States; and

Whereas, it is fitting that Virginia should in some wa her interest in this proposed commemoration of the achie her illustrious sons; now, therefore, be it

Resolved by the Senate and the House of Delegates o that the commissioners of the Virginia exhibit at the World's Fair and Exposition be, and they are, hereby au transport and display said exhibit at said Oregon Expos

the closing of the St. Louis Exposition, and to use and expend for that purpose such portion of the fund heretofore appropriated for making said exhibit at St. Louis as may remain unused after providing for said exhibit at St. Louis.

On motion of Mr. SALE, was taken up and adopted by the following vote—yeas, 18; nays, 4.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Machen, Mann, Massie, Sadler, Sale, Tavenner, Thomas and Walker—18.

NAYS—Messrs. Chapman, Keezell, Turner and Wickham—4.

And he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. Duld, who informed the Senate that that house had passed

No. 174, House bill to establish and maintain a system of efficient District High Schools, and to appropriate money therefor.

The bill was referred to the Committee on Public Institutions and Education.

No. 145, House bill to amend and re-enact section 3725 of the Code of 1887, as amended and re-enacted by an act approved March 3, 1894, and as further amended and re-enacted by an act approved March 5, 1896, to provide punishment for maliciously or unlawfully removing or injuring any part of a canal or railroad or any bridge or fixture thereof, or for maliciously or unlawfully obstructing, tampering with or injuring any machinery, engine, car or work thereof, or for maliciously or unlawfully opening, closing, displacing, tampering with or injuring any switch, switch point or switch lever or signal of any railroad company.

Mr. TAVENNER moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, Phlegar, Revercomb Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—23.

NAYS—None.

Mr. TAVENNER moved to dispense with the reading the bill, as required by section 50 of the Constitution, and the Senate being

satisfied that an emergency exists, it was agreed to vote—yeas, 25 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, rett, Greear, Gunter, Harman, A. C., Keezell, Machen, Ma Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thor and Wickham—25.

NAYS—None.

On his further motion the bill was then passed, the following vote—yeas, 25 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, rett, Greear, Gunter, Harman, A. C., Keezell, Machen, Ma Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thor and Wickham—25.

NAYS—None.

No. 189, House bill to allow the council of the to levy an additional capitation tax for the aid of of said town, or for such town purposes as the said determine.

Mr. SADLER moved that the Committee on Count Organization be discharged from further consideration was agreed to by the following vote—yeas, 25 ; n

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, rett, Greear, Gunter, Harman, A. C., Keezell, Machen, Ma Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thor and Wickham—25.

NAYS—None.

Mr. SADLER moved to dispense with the reading required by section 50 of the Constitution, and satisfied that an emergency exists, it was agreed to vote—yeas, 26 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, F Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Ma

**Yeas**—Messrs. Anderson, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—26.

**NAYS**—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS** Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fullett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

**NAYS**—None.

A message was received from the House of Delegates by Mr. Collier, who informed the Senate that that house had passed

No. 276, House bill to amend and re-enact an act entitled "an act to amend and re-enact article 10 of an act to incorporate the town of Phoebus, in Elizabeth City county, approved January 22, 1900," as amended by an act approved April 2, 1902.

The bill was taken up and referred to the Committee on County, City and Town Organization.

A message was received from the House of Delegates by Mr. Ould, who informed the Senate that that house had passed

No. 203, House bill to amend and re-enact section 3231 of the Code, as amended by an act approved December 10, 1903, in relation to orders of publication.

The bill was referred to the Committee for Courts of Justice.

No. 204, House bill to amend and re-enact section 2 of an act entitled "an act to provide for the appointment of police justices, and their jurisdiction in cities of a population of ten thousand and over, in which, by the terms of their charters, no provision is made for the election or appointment of police justices," approved December 31, 1903.

Mr. RISON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fullett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-

Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taven  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. RISON offered an amendment, which was adopted.

On his further motion, the bill as amended was then  
its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—MESSRS. Anderson, Byars, Campbell, Chapman, Cromwe  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann  
Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

No. 240, House bill to authorize the council of the to  
well to borrow money.

Mr. REVERCOMB moved that the Committee on Count  
Town Organization be discharged from further consider  
bill, which was agreed to by the following vote—yeas, 27

Senators who voted are:

YEAS—MESSRS. Anderson, Byars, Campbell, Chapman, Cromwe  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann  
Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. REVERCOMB moved to dispense with the reading o  
required by section 50 of the Constitution, and the S  
satisfied that an emergency exists, it was agreed to by th  
vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—MESSRS. Anderson, Byars, Campbell, Chapman, Cromwe  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann  
Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with  
the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fult, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-raine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, rner, Walker and Wickham—27.

**NAYS**—None.

No. 262, Senate bill to authorize the town of Blacksburg, in Mont-mery county, to donate a sum not exceeding \$1,000 for the pur-  
pose of erecting in said town a public school building.

Mr. PHLEGAR moved that the Committee on County, City and  
town Organization be discharged from further consideration of the  
bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
ett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-  
lwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Turner, Walker and Wickham—27.

**NAYS**—None.

Mr. PHLEGAR moved to dispense with the reading of the bill, as  
required by section 50 of the Constitution, and the Senate being  
satisfied that an emergency exists, it was agreed to by the following  
vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-  
lwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Turner, Walker and Wickham—27.

**NAYS**—None.

The bill was then ordered to be engrossed; and being forthwith  
engrossed, on his further motion, was passed, with its title, by the  
following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Turner, Walker and Wickham—27.

**NAYS**—None.

And he was ordered to inform the House of Delegates No. 165, House bill for working and keeping in repair roads and bridges in the county of Buckingham, and to collect a license and a registration tax in connection therewith.

Mr. MANN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garretts, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garretts, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

No. 264, House bill to incorporate the town of Madison in Amherst county.

Mr. MASSIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garretts, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. MASSIE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

**NAYS**—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

**NAYS**—None.

No. 65, House bill to amend and re-enact section 2197, chapter 99, of the Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 30, 1890, and by an act approved February 14, 1896, so as to require the cremation or burial of all animals or fowls that die from contagious or infectious diseases, and fixing the penalties for violation thereof, was taken up.

Mr. CHAPMAN moved to reconsider the vote by which the bill was rejected, which was agreed to.

Mr. SALE offered an amendment, which was adopted.

Mr. SADLER offered an amendment, which was adopted.

On his further motion the bill, as amended, was then passed, with its title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Greear, Harman, A. C., Holt, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner and Walker—23.

**NAYS**—None.

A message was received from the House of Delegates by Mr. Wood, who informed the Senate that that House had passed

No. 235, House bill to authorize and empower the council of the town of Shenandoah, Virginia, to borrow money by the issue of bonds for the construction and establishment of a system of water



And he was ordered to inform the House of Delegates

No. 165, House bill for working and keeping in repair roads and bridges in the county of Buckingham, and to taxation tax in connection therewith.

Mr. MANN moved to dispense with the reading of required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

No. 264, House bill to incorporate the town of Madison in Amherst county.

Mr. MASSIE moved that the Committee on County, City and Town Organization be discharged from further consideration which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

Mr. MASSIE moved to dispense with the reading of required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the vote—yeas, 27; nays, 0.

enators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with its title, by following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

No. 65, House bill to amend and re-enact section 2197, chapter 1, of the Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 1, 1890, and by an act approved February 14, 1896, so as to require cremation or burial of all animals or fowls that die from contagious or infectious diseases, and fixing the penalties for violation thereof, was taken up.

Mr. CHAPMAN moved to reconsider the vote by which the bill was rejected, which was agreed to.

Mr. SALE offered an amendment, which was adopted.

Mr. SADLER offered an amendment, which was adopted.

On his further motion the bill, as amended, was then passed, with title, by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Harman, A. C., Holt, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner and Walker—23.

NAYS—None.

A message was received from the House of Delegates by Mr. Wood, who informed the Senate that that House had passed

No. 235, House bill to authorize and empower the council of the State of Shenandoah, Virginia, to borrow money by the issue of bonds for the construction and establishment of a system of water

works in and for the use of said town; to construct and such works, and a sewerage system if needed.

The bill was referred to the Committee on County, City Organization.

No. 208, House bill to provide for creating, working and maintaining public roads in Fairfax county, and defining the powers of same.

Mr. MACHEN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26;

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavernier, Turner, Walker and Wickham—27.

NAYS—None.

Mr. MACHEN moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavernier, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavernier, Turner, Walker and Wickham—27.

NAYS—None.

No. 243, Senate bill to authorize juries in their discretion to punish with death any person convicted of maliciously burning at night time any barn, stable, shed, or other building containing

ock, in even such live stock be burned, was taken up and read the second time.

Mr. MACHEN offered an amendment, which was adopted.

Mr. GARRETT moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—26.

NAYS—None.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—26.

NAYS—None.

No. 181, House bill to amend and re-enact section 1670 of the Code of Virginia, as amended and re-enacted by an act approved the 8th day of March, 1894, with committee substitute.

Mr. KEEZELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

The committee substitute was adopted.

On his further motion, the bill, as amended, was then its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Turner, Walker and Wickham—27.

**NAYS**—None.

**Mr. MANN**, by unanimous consent, presented No. 291, Senate bill to amend and re-enact section Code of Virginia of 1887.

On his motion, the bill being partially read, it was referred to the Committee for Courts of Justice.

**Mr. MANN** moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Turner, Walker and Wickham—27.

**NAYS**—None.

No. 252, House bill to amend and re-enact chapter 580 of the General Assembly, extra session, 1902-3-4, entitled to amend and re-enact section 60, chapter 7, of the charter of Portsmouth, in relation to city officers.

**Mr. HOLT** moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Turner, Walker and Wickham—27.

**NAYS**—None.

**Mr. HOLT** moved to dispense with the reading of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

tified that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, n. Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, umer, Walker and Wickham—27.

**NAYS**—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

**NAYS**—None.

No. 279, Senate bill to amend and re-enact section 1271 of the Code of Virginia, with committee amendment.

Mr. A. C. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

**NAYS**—None.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,

Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenn  
Turner, Walker and Wickham—27.

NAYS—None.

MR. SHANDS moved to dispense with the reading of t  
required by section 50 of the Constitution, and the Se  
satisfied that an emergency exists, it was agreed to by the  
vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, F  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenn  
Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with i  
the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, F  
rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenn  
Turner, Walker and Wickham—27.

NAYS—None.

Senate Joint resolution:

Whereas, it is proposed to hold, in the State of Oreg  
tional Exposition, to celebrate the approaching one hund  
niversary of the discovery and exploration of the gre  
now forming the northwestern portion of the United States

Whereas, that notable feat was accomplished, in the ex  
the highest qualities of courage, perseverance and intel  
Meriwether Lewis and William Clark, two famous sons of  
under the auspices of that other great Virginian, Thomas  
then President of the United States; and

Whereas, it is fitting that Virginia should in some way  
her interest in this proposed commemoration of the achiev  
her illustrious sons; now, therefore, be it

Resolved by the Senate and the House of Delegates of  
that the commissioners of the Virginia exhibit at the  
World's Fair and Exposition be, and they are, hereby aut  
transport and display said exhibit at said Oregon Exposi

ing of the St. Louis Exposition, and to use and expend for purpose such portion of the fund heretofore appropriated for said exhibit at St. Louis as may remain unused after provided for said exhibit at St. Louis.

motion of Mr. SALE, was taken up and adopted by the following—yeas, 18; nays, 4.

tors who voted are:

Messrs. Anderson, Byars, Cromwell, Ford, Fulton, Garrett, Greear, Harman, A. C., Holt, Machen, Mann, Massie, Sadler, Sale, Tavenner, and Walker—18.

Messrs. Chapman, Keezell, Turner and Wickham—4.

he was ordered to inform the House of Delegates thereof. Message was received from the House of Delegates by Mr. who informed the Senate that that house had passed 74, House bill to establish and maintain a system of efficient High Schools, and to appropriate money therefor. Bill was referred to the Committee on Public Institutions and on.

145, House bill to amend and re-enact section 3725 of the 1887, as amended and re-enacted by an act approved March , and as further amended and re-enacted by an act approved 5, 1896, to provide punishment for maliciously or unlawfully g or injuring any part of a canal or railroad or any bridge or hereof, or for maliciously or unlawfully obstructing, tampering or injuring any machinery, engine, car or work thereof, or maliciously or unlawfully opening, closing, displacing, tampering or injuring any switch, switch point or switch lever or signy railroad company.

TAVENNER moved that the Committee for Courts of Justice charged from further consideration of the bill, which was o by the following vote—yeas, 23; nays, 0.

ors who voted are:

Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, Phlegar, Sub Sale, Shands, Tavenner, Thomas, Turner, Walker and Wick-

None.

TAVENNER moved to dispense with the reading the bill, as by section 50 of the Constitution, and the Senate being



satisfied that an emergency exists, it was agreed to by the vote—yeas, 25 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Frett, Greear, Gunter, Harman, A C., Keezell, Machen, Mann, Mass, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Tur and Wickham—25.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 25 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Frett, Greear, Gunter, Harman, A C., Keezell, Machen, Mann, Mass, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Tur and Wickham—25.

NAYS—None.

No. 189, House bill to allow the council of the town of to levy an additional capitation tax for the aid of the public of said town, or for such town purposes as the said town council determine.

Mr. SADLER moved that the Committee on County, City and Organization be discharged from further consideration of the bill, and it was agreed to by the following vote—yeas, 25 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Frett, Greear, Gunter, Harman, A C., Keezell, Machen, Mann, Mass, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Tur and Wickham—25.

NAYS—None.

Mr. SADLER moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26 ; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Frett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Mass,

bomb, Rison. Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker Wickham—26.

s—None.

his further motion the bill was then passed, with its title, by following vote—yeas, 27; nays, 0.

ators who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fullreear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McPhlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

—None.

message was received from the House of Delegates by Mr. [unclear], who informed the Senate that that house had passed

276, House bill to amend and re-enact an act entitled “an act to amend and re-enact article 10 of an act to incorporate the town of [unclear] in Elizabeth City county, approved January 22, 1900,” amended by an act approved April 2, 1902.

bill was taken up and referred to the Committee on County, and Town Organization.

message was received from the House of Delegates by Mr. [unclear] who informed the Senate that that house had passed

203, House bill to amend and re-enact section 3231 of the [unclear] as amended by an act approved December 10, 1903, in relation [unclear] of publication.

bill was referred to the Committee for Courts of Justice.

204, House bill to amend and re-enact section 2 of an act entitled “an act to provide for the appointment of police justices, and jurisdiction in cities of a population of ten thousand and over, [unclear] by the terms of their charters, no provision is made for election or appointment of police justices,” approved December 1903.

RISON moved to dispense with the reading of the bill, as provided by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

ators who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fullreear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-

Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taverner, Turner, Walker and Wickham—27.

NAYS—None.

Mr. RISON offered an amendment, which was adopted.

On his further motion, the bill as amended was then passed on its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taverner, Turner, Walker and Wickham—27.

NAYS—None.

No. 240, House bill to authorize the council of the town of well to borrow money.

Mr. REVERCOMB moved that the Committee on County Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27;

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taverner, Turner, Walker and Wickham—27.

NAYS—None.

Mr. REVERCOMB moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taverner, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Full-ear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McPhlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

—None.

262, Senate bill to authorize the town of Blacksburg, in Mont-  
gomery, to donate a sum not exceeding \$1,000 for the pur-  
erecting in said town a public school building.

PHLEGAR moved that the Committee on County, City and  
Organization be discharged from further consideration of the  
which was agreed to by the following vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
ear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-  
Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Walker and Wickham—27.

—None.

PHLEGAR moved to dispense with the reading of the bill, as  
provided by section 50 of the Constitution, and the Senate being  
advised that an emergency exists, it was agreed to by the following  
vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
ear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Mc-  
Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Walker and Wickham—27.

—None.

The bill was then ordered to be engrossed; and being forthwith  
read, on his further motion, was passed, with its title, by the  
following vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
ett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
Walker and Wickham—27.

—None.

And he was ordered to inform the House of Delegates.

No. 165, House bill for working and keeping in repair roads and bridges in the county of Buckingham, and to tax in connection therewith.

Mr. MANN moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave, Turner, Walker and Wickham—27.

NAYS—None.

No. 264, House bill to incorporate the town of Madison in Amherst county.

Mr. MASSIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave, Turner, Walker and Wickham—27.

NAYS—None.

Mr. MASSIE moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
 rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
 Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
 Walker and Wickham—27.

—None.

his further motion the bill was then passed, with its title, by  
 the following vote—yeas, 27; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
 rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,  
 Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas,  
 Walker and Wickham—27.

—None.

65, House bill to amend and re-enact section 2197, chapter  
 the Code of Virginia, in relation to burial of hogs that died  
 disease, as amended and re-enacted by an act approved March  
 0, and by an act approved February 14, 1896, so as to require  
 nation or burial of all animals or fowls that die from conta-  
 rious infectious diseases, and fixing the penalties for violation  
 was taken up.

CHAPMAN moved to reconsider the vote by which the bill was  
 passed, which was agreed to.

SALE offered an amendment, which was adopted.

SADLER offered an amendment, which was adopted.

his further motion the bill, as amended, was then passed, with  
 by the following vote—yeas, 23; nays, 0.

tors who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Ful-  
 ar, Harman, A. C., Holt, Machen, Mann, Massie, Phlegar, Revercomb,  
 adler, Sale, Shands, Tavenner, Thomas, Turner and Walker—23.

—None.

message was received from the House of Delegates by Mr. Wood,  
 informed the Senate that that House had passed

35, House bill to authorize and empower the council of the  
 Shenandoah, Virginia, to borrow money by the issue of  
 bonds for the construction and establishment of a system of water

works in and for the use of said town; to construct a such works, and a sewerage system if needed.

The bill was referred to the Committee on County, City and Town Organization.

No. 208, House bill to provide for creating, working and maintaining public roads in Fairfax county, and defining the powers of same.

Mr. MACHEN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Ilwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. MACHEN moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver-  
Turner, Walker and Wickham—27.

NAYS—None.

No. 243, Senate bill to authorize juries in their discretion to punish with death any person convicted of maliciously burning at night time any barn, stable, shed, or other building con-

in even such live stock be burned, was taken up and read the time.

MACHEN offered an amendment, which was adopted.

GARRETT moved to dispense with the reading of the bill, as ordered by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 26; nays, 0.

Members who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford Garreear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, Phlegar, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker, and Wickham—26.

—None.

The bill, as amended, was then ordered to be engrossed; and being so engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 26; nays, 0.

Members who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford Garreear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Rison, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, and Wickham—26.

—None.

181, House bill to amend and re-enact section 1670 of the Constitution of Virginia, as amended and re-enacted by an act approved on the 1st day of March, 1894, with committee substitute.

KEEZELL moved to dispense with the reading of the bill, as ordered by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following yeas, 27; nays, 0.

Members who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulbright, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

—None.

The committee substitute was adopted.



On his further motion, the bill, as amended, was then its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave Turner, Walker and Wickham—27.

**NAYS**—None.

Mr. MANN, by unanimous consent, presented No. 291, Senate bill to amend and re-enact section Code of Virginia of 1887.

On his motion, the bill being partially read, it was re Committee for Courts of Justice.

Mr. MANN moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was by the following vote—yeas, 25; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave Turner, Walker and Wickham—27.

**NAYS**—None.

No. 252, House bill to amend and re-enact chapter 58 of the General Assembly, extra session, 1902-3-4, entitled to amend and re-enact section 60, chapter 7, of the chart of Portsmouth, in relation to city officers.

Mr. HOLT moved that the Committee on County, City and Organization be discharged from further consideration of which was agreed to by the following vote—yeas, 27;

Senators who voted are:

**YEAS**—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tave Turner, Walker and Wickham—27.

**NAYS**—None.

Mr. HOLT moved to dispense with the reading of required by section 50 of the Constitution, and the S

tified that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, n. Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, umer, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

No. 279, Senate bill to amend and re-enact section 1271 of the Code of Virginia, with committee amendment.

Mr. A. C. HARMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

The committee amendment was adopted.

The bill, as amended, was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,

Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

And he was ordered to inform the House of Delegates  
No. 225, House bill to incorporate and provide a cha  
town of Parksley, Virginia.

Mr. GUNTER moved that the Committee on County  
Town Organization be discharged from further consider  
bill, which was agreed to by the following vote—yeas, 27

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwe  
ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, M  
Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

Mr. GUNTER moved to dispense with the reading of  
required by section 50 of the Constitution, and the S  
satisfied that an emergency exists, it was agreed to by t  
vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwe  
ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, M  
Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

On his further motion, the bill was then passed, with its  
following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwe  
ton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, M  
Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Taver  
Turner, Walker and Wickham—27.

NAYS—None.

No. 169, House bill to provide a road law for Russell  
ginia, and to repeal chapter 237 of Acts of Assembly, e  
1902-1903-1904, of said acts.

Mr. GREEAR moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner and Walker—27.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner and Walker—27.

NAYS—None.

No. 144, House bill to provide punishment for maliciously or unlawfully shooting at, or throwing stones or other missiles at or against, any train or car of any railroad or other transportation company, or at or against any vessel or river craft.

Mr. GARRETT moved that the Committee for Courts of Justice be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

Mr. GARRETT moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwellton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, MacMassie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwellton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, MacMassie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

No. 275, House bill to empower the council of the town of Battle to submit, at a special election, to the qualified voters of the town whether or not said town shall buy the plant and equipment of the Battletown Gas Company, and to borrow money for the same, or to issue bonds therefor, provided the same can be sold for \$5,500.00.

Mr. FULTON moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwellton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, MacMassie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

Mr. FULTON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwellton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mac

Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

No. 287, House bill to amend and re-enact section 3214 of the Code of Virginia, as amended by an act approved December 10, 1903, which is chapter 409 of the Acts of the special session of 1902-3-4.

Mr. FORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Turner, Walker and Wickham—27.

NAYS—None.

Mr. PHLEGAR moved to reconsider the vote by which the bill was passed, which was rejected.

Mr. CROMWELL, by unanimous consent, presented No. 292, Senate bill to change the name of "Tanner's the "Northern Branch of the Elizabeth River.

On his motion, the bill being partially read, it was referred to the Joint Committee on Special, Private and Local Legislation.

Mr. CROMWELL moved that the Joint Committee on Special, Private and Local Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Harman, A. C., Holt, Keezell, Mac Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

The bill was referred to the Committee on General Legislation.

Mr. CROMWELL moved that the Committee on General Legislation be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Harman, A. C., Holt, Keezell, Mac Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

Mr. CROMWELL moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Harman, A. C., Holt, Keezell, Mac Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

The bill was then ordered to be engrossed; and being so engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

None.

and he was ordered to inform the House of Delegates thereof.

b. 243, House bill to provide for an election in Albemarle county for the purpose of taking the sense of the qualified voters upon the question of authorizing the supervisors of said county to make an appropriation of five thousand dollars to a State female normal school, to be established in said county, or in the city of Charlottesville.

Mr. CHAPMAN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

None.

Mr. CHAPMAN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker and Wickham—27.

None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fulgarrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann,



Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner, Walker and Wickham—27.

NAYS—None.

No. 138, House bill to amend and re-enact section 2, chapter 1, Acts of Assembly 1901-'2, approved April 2, 1902, entitled "An act to aid the citizens of Virginia who were disabled by wounds or diseases during the war between the States, while serving as soldiers or marines of Virginia, and such as served during the said war as soldiers, sailors, or marines of Virginia, who are now disabled by wounds or diseases contracted during the war, or by the infirmities of age, and the widows of soldiers, sailors, or marines of Virginia who were killed in said service, or whose death resulted from wounds or diseases contracted in said service, and providing penalties for violating the provisions of this act."

Mr. CAMPBELL moved that the Committee on Finance and Administration be discharged from further consideration of the bill, with amendments agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garretton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner and Walker—27.

NAYS—None.

Mr. CAMPBELL moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Garretton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Turner and Walker—26.

NAYS—None.

Mr. CAMPBELL offered an amendment, which was adopted.

On his further motion, the bill, as amended, was then passed on its title, by the following vote—yeas, 27; nays, 0.

Senators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Garrett, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Patten, Patten, Phlegar, Rison, Sadler, Shackelford, Shands, Tavenner, Walker, Wallace and Wickham—27.

—None.

and he was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by Mr. Wood, who informed the Senate that that House had passed

Bill No. 241, House bill to amend and re-enact section 3 of an act approved March 5, 1900, as amended and re-enacted by an act approved April 2, 1902, entitled, "An act to provide for the taxation of sheep in the county of Rappahannock, and the protection of sheep therein."

Bill No. 262, House bill to authorize and empower the trustees of the School District, in the county of Rappahannock, to borrow money for the purpose of building a school-house therein.

The bills were referred to the Committee on County, City and Town Organization.

Bill No. 245, Senate bill to provide for the appointment of a committee to investigate and report upon the advisability of establishing a sanitarium for indigent consumptives.

Mr. BYARS moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 26; nays, 0.

Senators who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Ford, Fullen, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Walker—26.

—None.

Mr. BYARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Phlegar, Rison, Sale, Shands, Tavenner, Thomas, Turner and Walker—22.

—None.

Mr. BYARS offered an amendment, which was adopted.

The bill, as amended, was then ordered to be engrossed; and forthwith engrossed, on his further motion, was passed, with the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Eaton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Phlegar, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas and Walker—25.

NAYS—None.

And he was ordered to inform the House of Delegates that No. 179, House bill to amend section 3049 of the Code of Virginia, as amended by an act approved March 5, 1894, as amended by an act approved May 20, 1903, and by an act approved December 12, 1903, and as further amended by an act approved January 12, 1904.

Mr. ANDERSON moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas and Tucker—24.

NAYS—None.

Mr. ANDERSON offered an amendment, which was adopted.

On his further motion, the bill, as amended, was then passed with its title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Cromwell, Eaton, Garrett, Gunter, Harman, A. C., Holt, Keezell, Machen, Massie, Revercomb, Rison, Sadler, Sale, Shands, Tavenner, Thomas, Thomas and Wickham—24.

NAYS—None.

On motion of Mr. WICKHAM, the Senate adjourned until tomorrow at 11 o'clock A. M.

FRIDAY, MARCH 11, 1904.

enant-Governor JOSEPH E. WILLARD in the chair.

nal of Saturday read by the clerk.

munication from the House of Delegates, by their Clerk,  
d as follows:

*In House of Delegates, March 10, 1904.*

House of Delegates has agreed to Senate joint resolution re-  
selecting text-books for use in the public free schools.

have agreed to Senate joint resolution relating to Superin-  
of the Penitentiary to furnish to the Superintendent of Pub-  
uction and the State Law Library so many convicts, with  
y guards, to do certain work.

have agreed to the amendments proposed by the Senate to  
ills entitled an act to amend and re-enact sub-section 2 of  
2070a, and section 2079 of the Code, as amended by an act  
l May 14, 1903, entitled, "An act to amend and re-enact  
95 of the Code of Virginia, in relation to the preservation  
n useful birds and animals, and to prevent unlawful hunting,  
epeat certain sections of the Code," &c., No. 5.

t to amend and re-enact section 1763 of the Code of Virginia,  
led by an act approved March 5, 1894, relating to the prac-  
harmacy, No. 17.

t to amend and re-enact section 3059 of the Code as amended  
t approved December 26, 1903, entitled, "An act to repeal  
3063, 3065, 3066 and 3067 of the Code of Virginia, and to  
nd re-enact sections 3056, 3057, 3058, 3059, 3060, and 3062  
ode as heretofore amended," and as further amended by an  
oved February 23, 1904, in so far as the same applies to the  
h, fifteenth, twentieth and twenty-first judicial circuits, No.

have passed Senate bills entitled an act to amend and re-enact  
titled an act to amend the road law of Prince George county,  
l March 3, 1898, No. 210.

t to amend and re-enact sub-section six of section 185 of the  
Virginia, as amended and re-enacted by an act approved  
y 7, 1903, No. 229.

t to amend and re-enact sub-division "b," of section 8 of an  
oved December 21, 1901, entitled an act to incorporate the  
Fries, in Grayson county, Virginia, as amended by an act  
l March 29, 1902, No. 247.

An act to require interest to be paid upon all district, and municipal taxes or levies remaining unpaid of June in the year next after that in which the same shall be assessed as assessable, and to prescribe the date when interest shall be charged, No. 126.

An act making appropriations for the benefit of the Horticultural Society, No. 139.

An act to amend and re-enact section 444 of the Code of Virginia, as amended and re-enacted by an act approved March 1, 1904, entitled an act to amend and re-enact chapter 10 of the Code of Virginia, in relation to the assessment of lands and tenements.

An act to authorize the city of Bristol, Virginia, to issue a conditional issue of bonds for water works' improvement, No. 142.

An act to amend and re-enact section 142 of an act of the Assembly of Virginia, entitled an act to amend and re-enact sections 75 to 147, inclusive, of an act approved April 16, 1904, to provide how social clubs chartered since April 16, 1904, shall obtain a license to sell ardent spirits, etc., No. 190.

An act to make the 5th day of April, 1904, a public holiday for the launching of the battleship "Virginia," and to amend this State, No. 238.

An act to secure the better enforcement of the laws of the State, and to define the jurisdiction of the courts of the State as to water courses lying between counties and magisterial districts in which local option prevails.

An act in relation to fish ladders on the Rapidan River, in the counties of Culpeper, Orange, and Madison, No. 240.

An act to authorize the county of Norfolk to acquire and toll bridges in said county, and to issue bonds for the same, No. 151.

An act to authorize the councils of towns, villages, or hamlets, where there are no such councils, the board of supervisors of a county, where there may be any town, village or other point in the county, to give adequate police protection, to prohibit the transportation of railroad companies of excursion or picnic parties, and to prohibit railroad companies to transport excursionists to such towns, villages, or other points in this State, under such conditions, No. 158.

An act to establish a dispensary for the sale of liquors in the town of Ridgeway, in the county of Henrico, and to prohibit the sale, barter or exchange of such liquors except as provided by this act, No. 173.

An act to protect pheasants or grouse in the counties of York and Northampton, No. 203.

act to amend and re-enact section 1416 of the Code of Virginia,  
No. 223.

act to amend charter of town of Lacrosse, Mecklenburg county,  
No. 223.

act in relation to certain records and proceedings of the Circuit  
Court of Chesterfield county, No. 281.

act have passed House bills entitled an act to repeal section  
of the Code of Virginia of 1887, No. 126.

act to prohibit fishing with pound-nets, fykes, traps and other  
devices in the waters of the Commonwealth, on the ocean side  
of counties of Accomac and Northampton, and in the Potomac  
river and in the Chesapeake bay within two miles of the mouth of the  
James river, and in the James river, and in the Chesapeake bay  
within two miles of the mouth of the James river, No. 129.

act to amend and re-enact section 2148 of the Code of Virginia,  
added by an act approved February 14, 1901, and by an act  
approved April 24, 1903, and by previous acts in relation to the time  
of opening oysters, and to prohibit the use of patent tongs, except in  
Chesapeake bay during a certain season, upon payment of a certain  
tax therefor, No. 132.

act to amend and re-enact an act approved March 28, 1902,  
and an act to amend and re-enact an act entitled an act to declare  
the Clinch river and Clinch mountain, in Russell county, a lawful fence,  
approved January 22, 1900, No. 159.

act to protect certain fish in the bays, creeks, inlets and streams  
adjacent to the Potomac river, in the State of Virginia, No. 173.

act to require owners and agents of peanut cleaning establish-  
ments and cotton factories to furnish employees or operatives  
with a suitable sponge shield to protect such employee or operative  
from inhaling the dust or floating particles in the air, and fixing a  
penalty for failure to do so, No. 194.

act concerning charter fees upon amendments of the charters,  
and for an extension of time in certain cases, No. 197.

act to authorize the trustees of Abingdon School District, in  
Stafford county, to borrow money and to issue bonds therefor,

act looking to the establishment of a school for the education  
of deaf, dumb and blind colored children in Virginia, No. 217.

act requiring the chairman of the boards of supervisors and  
mayors of city councils to check over and compare the assessments  
of the Corporation Commission of public works in each county,

act requiring the chairman of the boards of supervisors and  
approved May 14, 1903, relating as to issuing of hunting license

to non-residents, and to whom money paid, amended  
proved May 20, 1903, No. 222.

An act to amend and re-enact section 2192 of the Code  
No. 227.

An act to amend and re-enact section 34 of an act  
act to raise revenue for the support of the government  
free schools, and to pay the interest on the public debt, and  
a special tax for pensions as authorized by section 189 of  
stitution, approved April 16, 1903, No. 229.

An act to amend and re-enact section 27 of an act en  
to raise revenue for the support of the government  
schools, and to pay the interest on the public debt, and  
special tax for pensions as authorized by section 189 of  
tution, approved April 16, 1903, No. 230.

An act appropriating the sum of four thousand, seven  
hundred and fifty dollars to the Negro Reformatory Association of Virginia  
for the purpose of erecting and equipping work-shops and build  
ing grounds in the county of Hanover, Virginia, No. 231.

An act to amend and re-enact chapter 588 of the Acts of  
the Assembly concerning the public roads and bridges in Wythe county,  
to add independent sections for the permanent improvement of  
public roads and bridges therein, and to repeal all other  
laws for said county, No. 232.

An act to amend and re-enact an act approved January 10, 1902,  
entitled an act to provide for working and keeping  
public roads in Amherst county, as amended and re-enacted  
approved March 2, 1898, and to repeal an act, approved  
January 10, 1902, entitled an act to authorize the board of supervisors  
of said county to expend surplus money on roads and bridges,  
No. 233.

An act for the protection of fish in the Shenandoah  
River and its tributaries, No. 236.

An act authorizing the city of Newport News to issue  
bonds for the payment of the balance of the contract price for  
the improvement of Washington avenue and Twenty-fifth street, in said city,  
and to repeal all of the acts heretofore attempting to give this authority,  
No. 238.

An act to repeal section 3711 of the Code of Virginia  
and re-enacted by chapter 359 of Acts of Assembly 1903,  
and further amended and re-enacted by chapter 118, Acts of  
Assembly 1897-1898, as applies to the county of Dinwiddie, No. 239.

An act to submit to the qualified voters of Dumfries  
in the county of Prince William, at a special election to be held  
for, the question of the establishment of a dispensary  
for the sale of intoxicating liquors in the town of Mayville, and in  
the unincorporated territory of said county, No. 240.

ty of those voting at said election vote for said dispensary, ther to provide for the establishment and conduct of the within said voting district one mile of its limits, the sale, or exchange of intoxicating liquors, by all persons, firms, or ons, except as provided herein, No. 242.

to authorize the qualified voters of the corporation of Smith- hold an election of officers to be elected by the qualified No. 246.

t to protect dogs from being maliciously poisoned, No. 249. t fixing the penalty for the unauthorized presentation of cer- natic plays and musical compositions, No. 250.

t to provide for working the convicts at the State Farm public roads in the county of Goochland, and for construct- maintaining an exhibit of a good county road, No. 253.

to authorize the use of convicts confined in the penitentiary ng the foundation of the proposed additions to the State and in digging the foundation of the heat, light and power posed for the State Capitol and other buildings, and in or moving property incident to either of said undertakings, require the board of directors of the penitentiary to furnish ard such convicts as are called for by the Capitol Building ee, No. 254.

t to authorize the Governor of Virginia to lease such rooms s as may be necessary for the transaction of the public busi- the Governor, Secretary of the Commonwealth, Register of l Office, and Public Printer, the Commissioner of Labor, House of Delegates and Keeper of the Rolls, and any other aving offices in the Capitol building, or any of them, and storage of public property and records so far as such rooms may be necessary during the time occupied in the enlarge- novation and repair of the State Capitol building, and ap- ng money to pay the rentals thereof, No. 261.

to amend and re-enact sections 3 and 15 of an act entitled establish a dispensary for the sale of intoxicating liquors in e magisterial district, Prince Edward county, Virginia, to all persons, firms, corporations to sell, barter, or exchange ors in said district, and to repeal all laws in conflict with o far as they apply to the said magisterial district, approved 13, 1901, No. 265.

to repeal an act entitled an act to incorporate the Warren- Fauquier White Sulphur Springs Turnpike Company, ap- arch 5, 1880, No. 267.

to repeal an act entitled an act to incorporate the Warren- Marshall Road Company, approved May 12, 1887, No. 268.

to provide for the location of rights of way, No. 270.



An act to repeal an act approved February 20, 1900, the roads in the county of Montgomery, No. 271.

An act to amend and re-enact an act entitled an act for making, changing and working roads in the county of Montgomery, approved March 2, 1888, as amended by acts approved March 5, 1890, February 25, 1892, March 2, 1894, and March 2, 1896, No. 272.

An act to provide for the establishing of a dispensary of intoxicating liquors in the town of Rocky Mount, and for the control of same, No. 247.

In which amendments and bills they request the concurrence of the Senate.

No. 126, House bill to repeal section 2146 of the Code of Virginia of 1887, was taken up and referred to the Committee on Justice.

No. 129, House bill to prohibit fishing with pound traps and other fixed devices in the waters of the Commonwealth on the ocean side of the counties of Accomac and Northampton, in the Potomac river and in the Chesapeake bay within two miles of the mouth of the Potomac river, and in the James river and in the Chesapeake bay within two miles of the mouth of the James river, was taken up, read the first time and referred to the Committee on Fish and Game.

No. 132, House bill to amend and re-enact section 2146 of the Code of Virginia, as amended by an act approved March 2, 1901, and by an act approved April 24, 1903, and by an act approved April 24, 1903, and by an act approved April 24, 1903, in relation to the time for taking oysters and to prohibit the use of patent tongs, except in Chesapeake bay during a certain season, and the payment of a certain license tax therefor, was taken up and referred to the Committee on Fish and Game.

No. 159, House bill to amend and re-enact an act approved March 28, 1902, entitled an act to amend and re-enact an act to declare Clinch river and Clinch mountain, in Russell County, a lawful fence, approved January 22, 1900, was taken up and referred to the Committee on County, City and Town Organization.

No. 173, House bill to protect certain fish in the bay and streams tributary to the Potomac river, in the State of Virginia, was taken up and referred to the Committee on Fish and Game.

Mr. MACHEN moved that the Committee on Fish and Game be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 34; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wal-  
d Wickham—34.

—None.

194, House bill to require owners and agents of peanut clean-  
establishments and cotton factories to furnish employees or opera-  
with a suitable sponge shield to protect such employee or opera-  
m inhaling the dust or floating particles in the air, and fixing  
ty for failure to do so, was taken up and referred to the Com-  
General Laws.

McILWAINE moved that the Committee on General Laws be  
ged from further consideration of the bill, which was agreed  
e following vote—yeas, 31; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Ford,  
Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, Mc-  
Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackel-  
venner, Thomas, Turner, Walker, Wallace and Wickham—31.

—None.

197, House bill concerning charter fees upon amendments of  
, providing for an extension of time in certain cases, was  
p and referred to the Committee on Finance and Banks.

216, House bill to authorize the trustees of Abingdon school  
in Gloucester county, to borrow money and to issue bonds  
, was taken up and referred to the Committee on Public  
Institutions and Education.

SEARS moved that the Committee on Public Institutions and  
on be discharged from further consideration of the bill,  
was agreed to by the following vote—yeas, 27; nays, 0.

ators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Campbell, Chapman, Crom-  
rd, Fulton, Garrett, Gunter, Harman, A. C., Holt, Keezell, Machen  
Massie, Opie, Revercomb, Rison, Sadler, Sale, Sears, Shackelford  
r, Thomas, Turner, Walker, Wallace and Wickham—27.

—None.

By unanimous consent the bill was taken up.

Mr. SEARS moved to dispense with the reading required by section 50 of the Constitution, and satisfied that an emergency exists, it was agreed to—vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Ho Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegg Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, T lace and Wickham—34.

NAYS—None.

On his further motion the bill was then passed the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Ho Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegg Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, T lace and Wickham—34.

NAYS—None.

No. 217, House bill looking to the establishment of the education of the deaf, dumb and blind colored children, was taken up and referred to the Committee on Pensions and Education.

No. 221, House bill requiring the chairman of the supervisors and presidents of city councils to check over assessments made by the Corporation Commission in each county and city, was taken up and referred to the Committee on County, City and Town Organization.

No. 222, House bill to amend and re-enact subsection 2070c of an act approved May 14, 1903, relating to hunting license to non-residents, and to whom modified by an act approved May 20, 1903, was taken up, and referred to the Committee on Finance and Banking.

No. 227, House bill to amend and re-enact section 2070 of the Constitution of Virginia, was taken up and referred to the Committee on County, City and Town Organization.

No. 229, House bill to amend and re-enact section 2070 of the Constitution of Virginia, entitled "an act to raise revenue for the support of the public schools," was taken up and referred to the Committee on Finance and Banking.

public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by section 9 of the Constitution, approved April 16, 1903, was taken up and referred to the Committee on Finance and Banks.

Mr. McILWAINE moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

NAYS—None.

No. 230, House bill to amend and re-enact section 27 of an act entitled an "act to raise revenue for the support of the government and public free schools, and to pay the interest on the public debt, and to provide a special tax for pensions as authorized by section 9 of the Constitution, approved April 16, 1903, was taken up and referred to the Committee on Finance and Banks.

Mr. McILWAINE moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

NAYS—None.

No. 231, House bill appropriating the sum of four thousand, seven hundred dollars to the negro reformatory association of Virginia, for the purpose of erecting and equipping work shops and buildings on its grounds in the county of Hanover, Virginia, was taken up and referred to the Committee on Finance and Banks.

No. 232, House bill to amend and re-enact chapter 588 of the Acts of 1897-8, concerning the public roads and bridges in Wythe county, and to add independent sections for the permanent improvement of the public roads and bridges therein, and to repeal all other special road laws for said county, was taken up and referred to the Committee on County, City and Town Organization.

No. 233, House bill to amend and re-enact an act approved May 29, 1898, entitled an act to provide for working and repair the public roads of Amherst county, as amended and by an act approved March 2, 1898; and to repeal an act approved March 14, 1902, entitled an act to authorize the board of supervisors of said county to expend surplus money on roads and bridges. The bill was taken up and referred to the Committee on County and Town Organization.

Mr. MASSIE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Chapman, Ford, Fulton, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Thomas, Turner, Walker and Wickham—28.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. MASSIE moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker and Wickham—34.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker and Wickham—34.

NAYS—None.

No. 236, House bill for the protection of fish in the Shenandoah river and its tributaries, was taken up and referred to the Committee on Fish and Game.

No. 238, House bill authorizing the city of Newport News to issue \$6,000.00 bonds for the payment of the balance of the contract price for paving Washington avenue and Twenty-fifth street, in said city, and to repeal all of the acts heretofore attempting to give this authority to said city, was taken up and referred to the Committee on County, City and Town Organization.

Mr. HOLT moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

NAYS—None.

No. 239, House bill to repeal section 3711 of the Code of Virginia, as amended and re-enacted by chapter 359 of Acts of Assembly 1893-1894, as further amended and re-enacted by chapter 118, Acts of Assembly 1897-1898, as applies to the county of Dinwiddie, was taken up and referred to the Committee on County, City and Town Organization.

Mr. McILWAINE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 28; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, Opie, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker and Wickham—28.

NAYS—None.

No. 242, House bill to submit to the qualified voters of Dumfries district, in the county of Prince William, at a special election to be held therefor, the question of the establishment of a dispensary for the sale of intoxicating liquors in the town of Mayville, and in the event of a majority of those voting at said election vote for said dispensary, then further to provide for the establishment and conduct of

the same, within said voting district, one mile of its limits, the barter or exchange of intoxicating liquors, by all persons, firms or corporations, except as provided herein, was taken up and referred to the Committee on Finance and Banks.

Mr. MACHEN moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Machen, Mann, McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Selford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

NAYS—None.

No. 246, House bill to authorize the qualified voters of the County of Smithfield to hold an election of officers to be elected by the qualified voters, was taken up and referred to the Committee on County, City and Town Organization.

No. 247, House bill to provide for the establishing of a lottery for the sale of intoxicating liquors in the town of Rocky Mount, Virginia, and the control of same, was taken up and referred to the Committee on Finance and Banks.

Mr. GARRETT moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Machen, Mann, McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Selford, Tavenner, Thomas, Turner, Walker and Wallace—32.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. GARRETT moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell,

Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Walker, and Wickham—34.

s—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 34; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Thomas, Turner, Walker, Wal- and Wickham—34.

s—None.

249, House bill to protect dogs from being maliciously poisoned, was taken up and referred to the Committee on General Laws. PHLEGAR moved that the Committee on General Laws be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker and Wallace—30.

s—None.

250, House bill fixing the penalty for the unauthorized presentation of certain dramatic plays and musical compositions, was taken up and referred to the Committee on General Laws.

253, House bill to provide for working the convicts at the Farm upon the public roads in the county of Goochland, and instructing and maintaining an exhibit of a good county road, was taken up and referred to the Committee on Public Institutions and Education.

254, House bill to authorize the use of convicts confined in the penitentiary in digging the foundation of the proposed additions to the State Capitol, and in digging the foundation of the heat, light and power plant proposed for the State Capitol and other buildings, and grading or moving property incident to either of said undertakings, and to require the board of directors of the penitentiary to employ under guard such convicts as are called for by the Capitol



building committee, was taken up and referred to the Committee on Public Institutions and Education.

Mr. ANDERSON moved that the Committee on Public Institutions and Education be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Machen, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and W.

**NAYS**—None.

No. 261, House bill to authorize the Governor of Virginia to lease such rooms and offices as may be necessary for the transaction of public business by the Governor, Secretary of the Commonwealth, Register of the Land Office, the Public Printer, the Commissioner of Labor, Clerk of House of Delegates and Keeper of the Records, any other official having offices in the Capitol building, and for them and for the storage of public property and records in such rooms or offices may be necessary during the time of the enlargement, renovation and repair of the State Capitol, and appropriating money to pay the rentals thereof, was taken up and referred to the Committee on Finance and Banks.

Mr. ANDERSON moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and W.

**NAYS**—None.

No. 265, House bill to amend and re-enact sections 3 and 4 of an act entitled an act to establish a dispensary for the sale of intoxicating liquors in Farmville magisterial district, Prince George county, Virginia, to prohibit all persons, firms, corporations, or individuals from buying, selling, or exchanging such liquors in said district, and to repeal any act in conflict with this act, so far as they apply to the said district, approved February 13, 1901, was taken up and referred to the Committee on Finance and Banks.

RISON moved that the Committee on Finance and Banks be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 30; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Thomas, Turner, Walker, Wallace and Wickham—30.

—None.

267, House bill to repeal an act entitled an act to incorporate Harrenton and Fauquier White Sulphur Springs Turnpike Company, approved March 5, 1880, was taken up and referred to the Committee on County, City and Town Organization.

FORD moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 32; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—32.

—None.

By unanimous consent the bill was taken up.

FORD moved to dispense with the reading of the bill, as provided by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 33; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—33.

—None.

By this further motion the bill was then passed, with its title, by the following vote—yeas, 33; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Mann, Massie, McIlwaine, Noel, Opie, Phlegar, Revercomb, R. Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wickham—33.

**NAYS**—None.

No. 268, House bill to repeal an act entitled an act to the Warrenton and Marshall Road Company, approved 1887, was taken up and referred to the Committee on County and Town Organization.

Mr. FORD moved that the Committee on County, City and Town Organization be discharged from further consideration of which was agreed to by the following vote—yeas, 32; nays,

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, McIlwaine, Noel, Opie, Phlegar, Revercomb, Rison, Sadler, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and V.

**NAYS**—None.

No. 270, House bill to provide for the location of right of way was taken up and referred to the Committee for Courts and

No. 271, House bill to repeal an act approved February 1888 in regard to the roads in the county of Montgomery, was taken up and referred to the Committee on County, City and Town Organization.

No. 272, House bill to amend and re-enact an act entitled an act to provide for making, changing and working roads in the county of Rockingham, approved March 2, 1888, as amended by act approved March 5, 1890, February 25, 1892, March 2, 1894, and March 26, 1896, was taken up and referred to the Committee on County, City and Town Organization.

Mr. KEEZELL moved that the Committee on County, City and Town Organization be discharged from further consideration of which bill, which was agreed to by the following vote—yeas, 31

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen,

McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—31.

—None.

Mr. KEEZELL moved to dispense with the reading of the bills, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following yeas, 34; nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 34, nays, 0.

Members who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

—None.

A message was received from the Governor, by his Secretary, as follows:

## COMMONWEALTH OF VIRGINIA,

### GOVERNOR'S OFFICE.

*Richmond, March 11, 1904.*

*Senate:*

Whereby appoint, subject to your confirmation, as members of the Board of Visitors of the Virginia Military Institute: Lloyd T. Heathsville; Francis L. Smith, Alexandria; Philip F. Brown, Hurd; Thomas W. Shelton, Norfolk; John N. Upshur, Richmond; each for a term of two years, beginning July 1, 1904, and under Hamilton, Petersburg; James L. White, Abingdon; Al-

fred F. Revenel, Roanoke; W. T. Shields, Lexington, term of four years, beginning July 1, 1904.

No. 276, House bill to amend and re-enact an act entitled to amend and re-enact article 10 of an act to incorporate of Phoebus, in Elizabeth City county, approved January as amended by an act approved April 2, 1902.

Mr. HOLT moved that the Committee on County, City Organization be discharged from further consideration which was agreed to by the following vote—yeas, 32; nays,

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham.

**NAYS**—None.

Mr. HOLT moved to dispense with the reading of required by section 50 of the Constitution, and the Senate satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sadler, Sale, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham.

**NAYS**—None.

On his further motion the bill was then passed, with the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Mann, Massie, McIlwaine, Noel, Ople, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, St. Clair, Tavenner, Thomas, Turner, Wallace and Wickham—34.

**NAYS**—None.

A message was received from the House of Delegates Griffith, who informed the Senate that that house passed a House joint resolution, requesting and directing the Att

f Virginia to institute legal proceedings against W. F. Taylor, E. Massey, S. Brown Allen and the present Auditor of Virginia other sureties, on their official bonds, to recover the sum embezzled by W. H. Smith, first clerk to said Auditor of Virginia.

r. WICKHAM offered an amendment, which was adopted.

the resolution, as amended, was then adopted.

r. WICKHAM was ordered to inform the House of Delegates thereof.

message was received from the House of Delegates by Mr. [Name], who informed the Senate that that house had passed

o. 269, House bill to provide for opening, working and changing public roads in Rappahannock county and building and repairing the same therein.

the bill was referred to the Committee on County, City and Town Organization.

r. SHACKELFORD moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 34; nays, 0.

Members who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Walcott and Wickham—34.

Nays—None.

By unanimous consent the bill was taken up.

r. SHACKELFORD moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being informed that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Members who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Walcott and Wickham—34.

Nays—None.

By this further motion the bill was then passed, with its title, by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

Mr. THOMAS, by leave presented the following resolution:

“Be it resolved by the Senate, That the Auditor of Public Accounts be, and he is, hereby requested to include in the statement requested by the Senate resolution passed 10th March, 1904, the following information: The amounts of taxes delinquent in each county and city of the State and not released.”

Which was adopted.

A message was received from the House of Delegates by Mr. Lambeth, who informed the Senate that that house had passed, with amendment,

No. 121, Senate bill to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163 of the Code of Virginia in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved February 4, 1890, and by an act approved February 24, 1890, and by an act approved February 4, 1902, and by an act approved January 29, 1894, and by an act approved February 27, 1894, and by an act approved January 18, 1896, by an act approved February 12, 1898, approved February 17, 1900, and by an act approved February 15, 1901.

On motion of Mr. SALE, the Senate concurred in House amendment by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 147, House bill to amend and re-enact section 1 of an act

proved March 28, 1903, in relation to changing the boundaries wards in cities, and for increasing or diminishing the number thereof.

No. 191, House bill to amend and re-enact section 2 of an act entitled "an act to incorporate the town of Fairmount, Henrico county," approved March 10, 1902.

No. 220, House bill to repeal an act entitled "an act to amend and re-enact an act to impose fine for trespass of swine and other stock in the Rockfish district, Nelson county, approved February 9, 1900," approved March 3, 1900.

No. 115, House bill to amend and re-enact section 3129 of the Code of Virginia as amended and re-enacted by an act approved December 10, 1903.

No. 113, Senate bill making it a misdemeanor to desert without lawful cause or wilfully neglect to provide for the support and maintenance by any person of his wife or minor children in destitute or necessitous circumstances, and to provide a penalty therefor.

No. 210, Senate bill to amend and re-enact an act entitled "an act to amend the road law of Prince George county," approved March 1898.

No. 238, Senate bill to make the 5th day of April, 1904, being the day selected for the launching of the battleship "Virginia," a legal holiday in this State.

No. 126, Senate bill to require interest to be paid upon all State, county, district and municipal taxes or levies remaining unpaid on the fifteenth of June in the year next after that in which the same were or may be assessed or assessable, and to prescribe the date from which such interest shall be charged.

No. 6, House bill to provide the establishment, proper construction, and permanent improvement of the public roads and landings, for building and keeping in good order and repair of all public roads, bridges, causeways and wharves in the several counties of this State, and to repeal chapter 43 of the Code of Virginia.

No. 86, Senate bill to appropriate the sum of \$165,000.00 to provide buildings, equipment and improvement for the Virginia Polytechnic Institute.

No. 160, House bill to submit to the qualified voters of the voting precinct of Windsor, in the county of Isle of Wight, at a special election to be held therefor, the question of the establishment of a dispensary for the sale of intoxicating liquors in the town of Windsor, and in the event of a majority of those voting at said election vote for said dispensary, then further to provide for the establishment and conduct of the same, and to prohibit thereafter, within said voting precinct, or within one mile of its limits, the sale, barter, or exchange



of intoxicating liquors, by all persons, firms, or corporations, except as provided herein.

No. 146, House bill to incorporate and provide a charter for the town of Damascus, Virginia.

Mr. FULTON, by unanimous consent, presented the following joint resolution:

Resolved by the Senate, the House of Delegates concurring, That the Auditor of Public Accounts be required to add and publish a table to his annual reports hereafter made, showing the amount of money annually paid out of the State Treasury to each county, town and city of this State and for what purposes it was so paid, and in a separate column, the total amount of taxes collected from each county, city or town, which was adopted.

And he was ordered to inform the House of Delegates thereof.

No. 278, Senate bill to amend and re-enact section 3055 of the Code of Virginia, as amended by an act approved December 12, 1903, entitled an act to repeal sections 3043 and 3044, as amended by an act approved March 3, 1896; section 3045, as amended by an act approved January 18, 1888; sections 3046, 3047, 3048, 3051 and 3052 of the Code of Virginia, and to amend and re-enact section 3049, as amended by an act approved May 20, 1903; sections 3050, 3052, as amended by an act approved January 18, 1888; section 3054, as amended by an act approved February 28, 1898, and section 3055 of the Code of Virginia.

Mr. SALE moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

NAYS—None.

By unanimous consent the bill was taken up.

Mr. SALE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**AYS**—None.

On his further motion the bill was then passed, with its title, by following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

And he was ordered to inform the House of Delegates thereof.  
No. 28, House bill to repeal an act entitled an act for the protection of fish in the waters of north fork of Holston river, in the county of Scott, approved March 15, 1902.

Mr. BYARS moved that the Committee on Fish and Game be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

By unanimous consent the bill was taken up.  
Mr. BYARS moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 34; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

No. 241, House bill to amend and re-enact section three of an act approved March 5, 1900, as amended and re-enacted by an act approved April 2, 1902, entitled "an act to provide for the taxation of dogs in the county of Rappahannock, and the protection of sheep therein.

Mr. CHAPMAN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 33; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—33.

**NAYS**—None.

No. 96, House bill to prohibit the sale of intoxicating liquors on Sunday, was taken up, read the third time and passed, with its title, by the following vote—yeas, 18; nays, 11.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Campbell, Chapman, Cromwell, Garrett, Holt, Machen, Massie, McIlwaine, Noel, Ople, Patteson, Revercomb, Rison, Sale, Sears, Turner—18.

**YAYS—Messrs. Anderson, Byars, Ford, Fulton, Gunter, Mann, Sadler, Shackelford, Thomas, Walker and Wickham—11.**

**Mr. OPIE** moved to reconsider the vote by which the bill was passed.

**Mr. MANN** moved to pass the motion by, which was rejected by the following vote—yeas, 11; nays, 18.

**Senators who voted are:**

**YEAS—Messrs. Anderson, Byars, Ford, Fulton, Greear, Gunter, Mann, Sadler, Thomas, Walker and Wickham—11.**

**NAYS—Messrs. Barksdale, Bryant, Campbell, Chapman, Cromwell, Garrett, Holt, Machen, Massie, McIlwaine, Noel, Opie, Patteson, Revercomb, Rison, Sale, Shackelford and Turner—18.**

The Senate then refused to reconsider the vote by which the bill was passed.

**No. 198**, House bill to authorize the State Corporation Commission to recall assessments made, and not to further assess building and loan associations or companies with State franchise tax for the year 1904, was taken up.

**Mr. ANDERSON** moved to reconsider the vote by which the bill was rejected, which was agreed to.

The bill was then passed, with its title, by the following vote—yeas, 22; nays, 11.

**Senators who voted are:**

**YEAS—Messrs. Anderson, Barksdale, Bryant, Chapman, Cromwell, Ford, Garrett, Gunter, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Shackelford, Walker, Wallace and Wickham—22.**

**NAYS—Messrs. Byars, Campbell, Fulton, Greear, Holt, Noel, Patteson, Revercomb, Tavenner, Thomas and Turner—11.**

**No. 97**, Senate bill to amend and re-enact section 3455 of the Code of Virginia, as amended by an act approved January 18, 1888, as amended by an act of the General Assembly approved December 31, 1903, and section 3475 of chapter 170 of the Code of Virginia, with committee amendment, was taken up, read the second time, and committee amendment adopted.

**Mr. CHAPMAN** offered an amendment.

A message was received from the House of Delegates by **Mr. Churchman**, who informed the Senate that that House had passed, with amendments.

**No. 19**, Senate bill to regulate the sale of cocaine.

A message was received from the House of Delegates, Anderson, who informed the Senate that that House had passed the following Senate joint resolution:

Resolved by the Senate, the House of Delegates concurring, that the Auditor of Public Accounts be required to add another column to his annual reports hereafter made, showing the money annually paid out of the State treasury to each county and city of this State and for what purposes it was so paid, and to set out in a separate column the total amount of taxes collected in each county, city or town.

The hour of 2 o'clock having arrived, the chair was vacated at 3:30 o'clock P. M.

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### EVENING SESSION.

FRIDAY, MARCH 11, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

No. 97, Senate bill to amend and re-enact section 3455 of the Code of Virginia, as amended by an act approved January 1, 1903, and section 3475 of chapter 170 of the Code of Virginia, taken up.

Mr. CHAPMAN offered an amendment, which was rejected.

The bill, as amended, was then ordered to be engrossed for a third time, by unanimous consent.

Mr. WALKER moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate, satisfied that an emergency exists, it was agreed to by the yeas and nays, yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Campbell, Chapman, Ford, G. Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Turner, Wallace and Wickham—25.

NAYS—None.

The bill being forthwith engrossed, on his further motion it was passed by the following vote—yeas, 25; nays, 0.

nators who voted are:

s—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Greear, Harman, A. C., Holt, Machen, Mann, Massie, McIlwaine, Revercomb, Rison, Sale, Sears, Shackelford, Tavenner, Thomas, Walker, Wallace and Wickham—25.

s—None.

e committee amendment to the title was adopted.

PHLEGAR was ordered to inform the House of Delegates f.

224, House bill to authorize the board of supervisors of Meck- g county to issue a duplicate bond.

PHLEGAR moved that the Committee on County, City and Organization be discharged from further consideration of the hich was agreed to by the following vote—yeas, 21; nays, 0.

nators who voted are:

—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Harman, A. C., Holt, Machen, Mann, Massie, McIlwaine, Phlegar, Sears, Shackelford, Tavenner, Thomas, Wallace and Wickham—21.

—None.

unanimous consent the bill was taken up.

PHLEGAR moved to dispense with the reading of the bill, uired by section 50 of the Constitution, and the Senate being d that an emergency exists, it was agreed to by the follow- e—yeas, 22; nays, 0.

nators who voted are:

—Messrs. Barksdale, Bryant, Byars, Campbell, Ford, Garrett, Gunter, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Shackelford, Tavenner, Thomas, Turner, Wallace and Wickham—22.

—None.

his further motion the bill was then passed, with its title, by owing vote—yeas, 23; nays, 0.

nators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Garrett, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie,

McIlwaine, Phlegar, Rison, Sears, Thomas, Turner, Wallace and Wickham—23.

NAYS—None.

A message was received from the House of Delegates by Mr. Griffith, who informed the Senate that that house had agreed to the Senate amendment to House joint resolution relative to the defalcation of former officers.

No. 239, House bill to repeal section 3711 of the Code of Virginia, as amended and re-enacted by chapter 359 of Acts of Assembly 1893-1894, as further amended and re-enacted by chapter 118, Acts of Assembly 1897-1898, as applies to the county of Dinwiddie.

By unanimous consent the bill was taken up.

Mr. McILWAINE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sears, Tavenner, Turner, Wallace and Wickham—23.

NAYS—None.

Mr. McILWAINE offered an amendment, which was adopted.

On his further motion the bill was then passed by the following vote—yeas, 23; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Garrett, Greear, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sears, Shackelford, Turner, Wallace and Wickham—23.

NAYS—None

On motion of Mr. McILWAINE the title was amended.

And he was ordered to inform the House of Delegates thereof.

No. 173, House bill to protect certain fish in the bays, creeks, inlets and streams tributary to the Potomac river, in the State of Virginia.

By unanimous consent, the bill was taken up.

Mr. MACHEN moved to dispense with the reading of the bill, as

red by section 50 of the Constitution, and the Senate being  
ied that an emergency exists, it was agreed to by the following  
-yeas, 30; nays, 0.

nators who voted are:

s—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
vell, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen,  
Massie, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale,  
Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wick-  
32.

s—None.

his further motion the bill was then passed, with its title, by  
llowing vote—yeas, 28; nays, 0.

nators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
vell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Ma-  
Mann, Massie, McIlwaine, Rison, Sadler, Sale, Sears, Shackelford,  
er, Thomas, Turner, Walker and Wallace—28.

—None.

159, House bill to amend and re-enact an act approved March  
02, entitled "an act to amend and re-enact an act entitled an  
declare Clinch River and Clinch Mountain, in Russell county,  
ful fence," approved January 22, 1900.

GUNTER moved that the Committee on County, City and Town  
ization be discharged from further consideration of the bill,  
was agreed to by the following vote—yeas, 24; nays, 1.

nators who voted are:

—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman,  
arrett, Greear, Gunter, Holt, Machen, Mann, McIlwaine, Phlegar, Rev-  
Rison, Sale, Sears, Tavenner, Turner, Walker, Wallace and Wick-  
4.

—Mr. Keezell—1.

144, Senate bill to amend and re-enact sections 1528, 1531 and  
f the Code of Virginia, as amended and re-enacted by an act  
d "an act to amend and re-enact chapter 67 of the Code of  
ia, in relation to public free schools in cities and towns consti-  
separate school districts," approved December 31, 1903.

bill was taken up and ordered to be engrossed; and being



forthwith engrossed, on his further motion, was passed, v by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, waine, Revercomb, Rison, Sale, Sears, Shackelford, Taven Turner, Walker, Wallace and Wickham—27.

NAYS—None.

On motion of Mr. SALE, he was ordered to inform the Delegates thereof.

No. 185, House bill authorizing Prison Association to expend in certain improvements and in the installment and conduct of its Sloyd Manual Training School, \$7,223.48, in its possession, being balance of \$9,100.00 as to it under act approved April 2, 1902, appropriating revenue for the two fiscal years ending, respectively, on 30, 1902, and September 30, 1903.

Mr. ANDERSON moved that the Committee on Finance be discharged from further consideration of the bill, agreed to by the following vote—yeas, 27; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Chapman, rett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, M Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelfor Thomas, Turner, Walker and Wallace—27.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. ANDERSON moved to dispense with the reading of required by section 50 of the Constitution, and the S satisfied that an emergency exists, it was agreed to by the vote—yeas, 29; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campb Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Ke Mann, Massie, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Turner, Walker and Wallace—29.

NAYS—None.

On his further motion the bill was then passed, with its title, by following vote—yeas, 23; nays, 3.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Cromwell, Greear, Gun-Harman, A. C., Holt, Keezell, Mann, Massie, McIlwaine, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, Thomas, Turner, Walker and Wallace—23.

NAYS—Messrs. Fulton, Rison and Tavenner—3.

Mr. WICKHAM, by unanimous consent, presented the following resolution:

Resolved, That the chair shall be vacated at 6 o'clock this P. M. resumed at 8 o'clock P. M., and that at the night session the chair shall be called, and each Senator shall have the right, as his name is called, to have one local, private, or uncontested bill taken up and disposed of."

Which was adopted.

No. 224, Senate bill to amend and re-enact section 3527 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 3527 of the Code of Virginia, in relation to payment of fees to officers out of the treasury in criminal cases," approved February 24, 1890, as amended and re-enacted by an act approved March 3, 1898, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 148, Senate bill to amend and re-enact section 2257 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact section 2257 of the Code, in relation to divorces," approved February 23, 1894, with committee amendments, was taken up, read the second time, committee amendments adopted, ordered to be engrossed and read a third time.

No. 199, Senate bill to amend and re-enact section 1033 of the Code of Virginia as amended and re-enacted by an act approved March 20, 1903.

Mr. SALE moved to pass by the bill, which was agreed to by the following vote—yeas, 12; nays, 11.

Senators who voted are:

YEAS—Messrs. Anderson, Ford, Fulton, Greear, Holt, Mann, Phlegar, Sadler, Tavenner, Thomas and Wallace—12.

NAYS—Messrs. Barksdale, Byars, Campbell, Chapman, Garrett, Gunter, McIlwaine, Revercomb, Rison, Sears and Shackelford—11.

No. 252, Senate bill to repeal section 1897 of the Code of Virginia, and to amend and re-enact section 1898 of the Code of Virginia, as amended and re-enacted by an act approved February 3, 1890, as amended by an act approved March 7, 1894, as amended by an act approved February 23, 1898, as amended by an act approved January 12, 1898, was taken up, read the second time, ordered to be engrossed and read a third time.

No. 117, Senate bill to establish a system of county high schools and of normal departments to city high schools and to appropriate money therefor.

On motion of Mr. MANN, the bill was indefinitely postponed.

No. 174, House bill to establish and maintain a system of efficient district high schools, and to appropriate money therefor.

Mr. MANN moved that the Committee on Public Institutions and Education be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Keezell, Mann, Massie, McIlwaine, Phlegar, Revercomb, Risson, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas and Wallace—24.

NAYS—None.

By unanimous consent, the bill was taken up.

Mr. MANN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Ford, Fulton, Greear, Gunter, Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Revercomb, Risson, Sears, Tavenner, Thomas, Walker and Wallace—24.

NAYS—Mr. Garrett—1.

Mr. ANDERSON offered an amendment.

No. 269, Senate bill to amend and re-enact section 273 of the Code of Virginia, in relation to the duties of the superintendent of public printing, was taken up, read the second time, ordered to be engrossed and read a third time.

By unanimous consent, the bill was taken up.

Mr. A. C. HARMAN moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Campbell, Ford, Fulton, Garrett, Har, Gunter, Harman, A. C., Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sears, Tavenner and Wickham—21.

NAYS—None.

The bill being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Bryant, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Har, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Phlegar, Rison, Sadler, Sears, Shackelford, Tavenner, Thomas and Wickham—24.

NAYS—None.

and he was ordered to inform the House of Delegates thereof.

Mr. BARKSDALE moved that when the Senate adjourns to-day, that it adjourn to meet at 9:30 o'clock A. M. to-morrow, which was agreed to.

Mr. BARKSDALE moved to reconsider the vote by which the motion was adopted, which was rejected.

The hour of 6 o'clock having arrived, the chair was vacated until 10 o'clock P. M.

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## NIGHT SESSION.

FRIDAY, MARCH 11, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Mr. TAVENNER, by unanimous consent, presented  
S. B. 293, Senate bill to amend and re-enact an act entitled "an act to prescribe the jurisdiction of the several boards of supervisors of the counties of Frederick, Clarke, Warren, Page, and Shenandoah."

doah, on and after the 1st day of February, 1904, in taining to county roads, toll roads, bridges, ferries, n stock laws and apprentices," approved May 20, 1903, a times of meeting of the boards of supervisors of said cou

On his motion, the bill being partially read, it was re Joint Committee on Special, Private and Local Legislati

Mr. BARKSDALE moved that the Joint Committee on S vate and Local Legislation be discharged from further c of the bill, which was agreed to by the following vote nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapma Ford, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine gar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wickham—23.

NAYS—None.

The bill was referred to the Committee on County, City Organization.

Mr. BARKSDALE moved that the Committee on County Town Organization be discharged from further considera bill, which was agreed to by the following vote—yeas, 24.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapma Ford, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, N Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wal and Wickham—24.

NAYS—None.

Mr. BARKSDALE moved to dispense with the reading of required by section 50 of the Constitution, and the Se satisfied that an emergency exists, it was agreed to by the vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman Ford, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, N Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wal and Wickham—25.

NAYS—None.

The bill was then ordered to be engrossed; and being forthwith engrossed, on his further motion, was passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—25.

NAYS—None.

Mr. TAVENNER was ordered to inform the House of Delegates thereof.

No. 254, House bill to authorize the use of convicts confined in penitentiary in digging the foundation of the proposed additions to the State Capitol, and in digging the foundation of the heat, light and power plant proposed for the State Capitol and other buildings, and in grading or moving property incident to either of said undertakings, and to require the board of directors of the penitentiary to furnish under guard such convicts as are called for by the Capitol building committee.

Mr. ANDERSON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Harman, A. C., Keezell, Mann, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Thomas, Walker and Wickham—21.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Harman, A. C., Keezell, Mann, McIlwaine, Noel, Phlegar, Revercomb, Rison, Sadler, Sears, Tavenner, Thomas, Walker and Wickham—21.

NAYS—None.

No. 122, House bill to amend and re-enact an act entitled "an act relating to fraudulent conversion of property held under trust

deed," approved May 23, 1887, as amended by an act approved February 14, 1898, making the said act apply to the fraudulent disposal of personal property by any person who had agreed in writing to convey the title or ownership of the same shall be or remain in any way without the written consent of such other, larceny.

Mr. BRYANT moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, N. J., Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wall and Wickham—25.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, N. J., Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wall and Wickham—24.

NAYS—None.

No. 159, House bill to amend and re-enact an act approved March 28, 1902, entitled "an act to amend and re-enact an act to declare Clinch river and Clinch mountain, in Russell county, a lawful fence," approved January 22, 1900.

Mr. BYARS moved to dispense with the reading of the bill, required by section 50 of the Constitution, and the Senate, being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, N. J., Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wall and Wickham—25.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Harman, A. C., Keezell, Mann, McIlwaine, Noel, Phlegar, Rcomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—25.

Nays—None.

On H. B. 183, House bill extending the time of the assessment and payment of the franchise tax on corporations for the year, 1904.

Mr. SALE moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being notified that an emergency exists, it was agreed to by the following vote—yeas, 22; nays, 1.

Senators who voted are:

Yeas—Messrs. Barksdale, Bryant, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Harman, A. C., Keezell, Machen, Mann, McIlwaine, Phlegar, Rcomb, Sadler, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—22.

Nays—Mr. Anderson—1.

On his further motion the bill was then rejected, with its title, by the following vote—yeas, 14; nays, 7.

Senators who voted are:

Yeas—Messrs. Bryant, Cromwell, Ford, Fulton, Garrett, Mann, McIlwaine, Rcomb, Sadler, Sale, Sears, Thomas, Walker and Wallace—14.

Nays—Messrs. Anderson, Byars, Chapman, Keezell, Rison, Tavenner and Wickham—7.

Mr. WICKHAM moved to reconsider the vote by which the bill was rejected.

Mr. SALE moved to pass the motion by, which was agreed to.

A message was received from the House of Delegates by Mr. [Name], who informed the Senate that that house had passed, with amendments,

H. B. 279, Senate bill to amend and re-enact section 1271 of the Code of Virginia.

H. B. 252, Senate bill to repeal section 1897 of the Code of Virginia, and to amend and re-enact section 1898 of the Code of Vir-



ginia, as amended and re-enacted by an act approved 1890, as amended by an act approved March 7, 1894, by an act approved February 23, 1898, as amended by proved January 12, 1898.

Mr. CHAPMAN moved to dispense with the reading of required by section 50 of the Constitution, and the S satisfied that an emergency exists, it was agreed to by the vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Bryant, Byars, Chapman, Cromwell, Ford, Garrett, Keezell, Mann, McIlwaine, Phlegar, Revercomb, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—21.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Keezell, Mann, McIlwaine, Phlegar, Revercomb, R Sale, Sears, Thomas, Walker, Wallace and Wickham—21.

NAYS—None.

And he was ordered to inform the House of Delegates No. 157, House bill to authorize the board of supervisors of Essex county to borrow money for the purpose of rebuilding and repairing the clerk's office of said county and to therefor.

Mr. CROMWELL moved to dispense with the reading of required by section 50 of the Constitution, and the S satisfied that an emergency exists, it was agreed to by the vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Garrett, Keezell, Mann, McIlwaine, Phlegar, Revercomb, R Sears, Tavenner, Thomas, Walker, Wallace and Wickham—21.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 23; nays, 0.

enators who voted are:

AS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Mann, McIlwaine, Phlegar, Revercomb, Rison, Sale, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—23.

AYS—None.

No. 268, House bill to repeal an act entitled an act to incorporate Warrenton and Marshall Road Company, approved May 12, 1877.

Mr. FORD moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 23; nays, 0.

enators who voted are:

AS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patteson, Revercomb, Rison, Sadler, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—23.

AYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 25; nays, 0.

enators who voted are:

AS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—25.

AYS—None.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills, which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 209, House bill to amend and re-enact sections 5 and 10 of an act entitled "an act to provide for the improvement and working of the roads of the county of Henrico, and for the construction and repair of the bridges therein, &c.," and the acts amendatory thereof, to repeal section 7 of said act, approved March 1, 1884.

No. 136, House bill to amend and re-enact section 637 of the Code of Virginia, as amended by an act entitled "an act to amend and re-

enact section 637 of the Code of Virginia, in relation to delivering to treasurers copy of list of delinquent real estate to post the same with notice of sale of lands for taxes, let attached, approved February 23, 1894.

No. 40, House bill to provide for official receipts for

No. 151, Senate bill to authorize the county of Norfolk the toll roads and toll bridges in said county and to issue that purpose.

No. 108, Senate bill to require any person, firm or employing large bodies of laborers, constructing works of improvement, to have them regularly inspected by the board of the counties in which they are located.

No. 247, Senate bill to amend and re-enact sub-division section 8 of an act approved December 21, 1901, entitled to incorporate the town of Fries, in Grayson county, amended by an act approved March 29, 1902.

No. 157, Senate bill to amend and re-enact section 638 of the Code of Virginia, as amended by act approved March 1902.

No. 243, House bill to provide for an election in Albemarle for the purpose of taking the sense of the qualified voters on the question of authorizing the supervisors of said county an appropriation of five thousand dollars to a State farm school, to be established in said county, or in the city of Charlottesville.

No. 82, Senate bill to amend and re-enact section 2532 of the Code of Virginia, edition 1887, in reference to the jurisdiction of the probate of wills, as amended by an act approved December 1903, entitled an act to amend and re-enact section 2532 of the Code of Virginia, as amended by an act approved March 1904, and to amend and re-enact sections 2534 and 2538 of the Code of Virginia, as amended by an act approved February 2, 1904, in relation to the jurisdiction of the probate of wills.

No. 71, Senate bill to amend and re-enact an act entitled to regulate the probate of wills, the appointment of appraisers of estates of decedents and appointment and qualification of representatives, guardians, curators, committees, by the circuit courts," approved May 15, 1903.

No. 189, House bill to allow the council of the town of Alexandria to levy an additional capitation tax for the aid of the public of said town, or for such town purposes as the said town council determine

No. 235, House bill to authorize and empower the council of the town of Shenandoah, Virginia, to borrow money by the sale of bonds for the construction and establishment of a system

ks in and for the use of said town; to construct and establish works, and a sewerage system if needed.

Mr. FULTON moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Phlegar, Sadler, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—22.

Nays—None.

Mr. FULTON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being notified that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patteson, Phlegar, Rcomb, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Walker, Wallace and Wickham—25.

Nays—None.

b. 175, House bill to amend and re-enact section 723 of the Constitution of Virginia as amended by an act approved December 10, 1903.

Mr. ANDERSON moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being notified that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

Yeas—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patteson, Phlegar, Rcomb, Rison, Sadler, Sale, Sears, Thomas, Walker, Wallace and Wickham—24.

Nays—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 24; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patter, Revercomb, Rison, Sadler, Sale, Sears, Tavenner, Walker, Wallac ham—24.

**NAYS**—None.

No. 238, House bill authorizing the city of Newport No. \$56,000.00 bonds for the payment of the balance of the price for paving Washington avenue and Twenty-fifth street in said city, and to repeal all of the acts heretofore attempting to take away authority to said city.

Mr. HOLT moved to dispense with the reading of the bill as required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 25; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Harman, A. C., Holt, Keezell, Machen, McIlwaine, Phlegar, Rison, Sadler, Sale, Sears, Tavenner, Thomas, Wallace and Wickham—25.

**NAYS**—None.

On his further motion the bill was then rejected, with the following vote—yeas, 25; nays, 1.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Ford, Fulton, Garrett, Harman, A. C., Keezell, Machen, Mann, Patter, Patterson, Phlegar, Revercomb, Rison, Sadler, Sale, Tavenner, Walker, Wallace and Wickham—25.

**NAYS**—Mr. Holt—1.

Mr. HOLT moved to reconsider the vote by which the bill was rejected.

Mr. BARKSDALE moved to pass the motion by, which was agreed to.

No. 241, House bill to amend and re-enact section 3 of an act approved March 5, 1900, as amended and re-enacted by an act approved April 2, 1902, entitled "an act to provide for the protection of dogs in the county of Rappahannock, and the protection of the same therein."

Mr. KEEZELL moved to dispense with the reading of

quired by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 21; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Cromwell, Ford, Garrett, Harman, A. C., Keezell, Machen, McIlwaine, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Thomas, Walker, Wallace and Wickham—21.

NAYS—None.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 25; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Keezell, Machen, Mann, McIlwaine, Patteson, Phlegar, Revercomb, Rison, Sale, Tavenner, Thomas, Walker, Wallace and Wickham—25.

NAYS—None.

No. 223, House bill to authorize the board of supervisors of Fairfax county to lease the old Commonwealth attorney's office building, the public square, in the town of Fairfax.

Mr. MACHEN moved that the Committee on County, City and Town Organization be discharged from further consideration of the bill, which was agreed to by the following vote—yeas, 22; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Keezell, Machen, Mann, Patteson, Phlegar, Rison, Sadler, Sale, Tavenner, Thomas, Walker, Wallace and Wickham—22.

NAYS—None.

Mr. MACHEN moved to dispense with the reading of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman, Cromwell, Ford, Fulton, Garrett, Holt, Keezell, Machen, Mann, McIlwaine, Patteson,

Phlegar, Rison, Sadler, Sale, Tavenner, Thomas, Walker, Wallace  
ham—24.

NAYS—None.

On his further motion the bill was then passed, with i  
the following vote—yeas, 24; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Chapman  
Ford, Fulton, Garrett, Holt, Keezell, Machen, Mann, McIlwaine,  
Phlegar, Rison, Sadler, Sale, Tavenner, Thomas, Walker, Wallace  
ham—24.

NAYS—None.

No. 174, House bill to establish and maintain a system  
district high schools and to appropriate money therefor, was

Mr. MANN offered amendments, which were adopted.

Mr. PHLEGAR offered an amendment, which was adopted.

Mr. ANDERSON offered amendments, which were adopted.

The vote on the passage of the bill, as amended, disclos  
sence of a quorum—yeas, 16; nays, 2.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, F  
waine, Patteson, Phlegar, Revercomb, Rison, Sadler, Tavenne  
Walker and Wallace—16.

NAYS—Messrs. Garrett and Mann—2.

Mr. ANDERSON moved that the Senate adjourn until to-  
9:30 o'clock A. M., which was agreed to by the followi  
yeas, 18; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Byars, Chapman, Cromwell, Ford, F  
rett, Keezell, Mann, McIlwaine, Phlegar, Revercomb, Rison, Sadler  
Thomas, Walker and Wallace—18.

NAYS—None.

SATURDAY, MARCH 12, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of yesterday read by the Clerk.

A communication from the House of Delegates, by their clerk, was read as follows:

*In House of Delegates, March 11, 1904.*

The House of Delegates has agreed to Senate joint resolution with reference to moving the Virginia exhibit from St. Louis to Portland, Oregon.

They have agreed to the amendments proposed by the Senate to House bills entitled

An act to require the owner or owners of steamboat wharves to provide thereat suitable accommodations for the patrons of steamboats using the same, No. 30.

An act for the protection of pheasants and other game birds imported for propagation, No. 29.

An act to amend and re-enact section 2197, chapter 99, of the Code of Virginia, in relation to burial of hogs that died from disease, as amended and re-enacted by an act approved March 30, 1890, and by an act approved February 14, 1896, so as to require the cremation or burial of all animals or fowls that die from contagious or infectious diseases, and fixing the penalties for violation thereof, No. 65.

An act for the relief of corporations from excessive or erroneous taxation, No. 155.

An act to provide for the removal of the Houdon statue of Washington from the Capitol to the Library building, or to some other place, No. 130.

An act to amend section 3049 of the Code of Virginia, as amended by an act approved March 5, 1894, as further amended by an act approved May 20, 1903, and by an act approved December 12, 1903, and as further amended by an act approved January 12, 1904, No. 79.

An act to amend and re-enact section 2 of an act entitled "an act to provide for the appointment of police justices, and their jurisdiction in cities of a population of ten thousand and over, in which, by the terms of their charters, no provision is made for the election or appointment of police justices," approved December 31, 1903, No. 104.

An act to amend and re-enact section 1670 of the Code of Virginia,



as amended and re-enacted by an act approved the 8th day 1894, No. 181.

An act to amend and re-enact section 2, chapter 453, Assembly 1901-2, approved April 2, 1902, entitled "an act citizens of Virginia who were disabled by wounds received in the war between the States, while serving as soldiers, sailors, or marines of Virginia, and such as served during the said war as soldiers, sailors, or marines of Virginia, who are now disabled by wounds contracted during the war, or by the infirmities of age, and the infirmities of soldiers, sailors, or marines of Virginia who lost their limbs in service, or whose death resulted from wounds received in service, and providing penalties for violations of the provisions of this act, No. 138.

An act to amend and re-enact sections 1 and 2 of an act approved March 5, 1900, entitled an act to authorize and empower the State Fish Commission to employ a surveyor, or surveyors, and making an appropriation for compensation of the same, approved March 28, 1902.

And an act to amend and re-enact section 3711 of the Acts of 1894, as amended and re-enacted by chapter 118 of the Acts of 1898, to repeal so much of it as applies to the county of Dinwiddie, No. 239.

They have passed Senate bills entitled

An act to amend and re-enact section 3427 of the Code of Virginia, as heretofore amended, No. 15.

An act prescribing and defining the right of an attorney to practice in certain cases, No. 39.

An act to amend and re-enact an act entitled an act to regulate the probate of wills, the appointment of appraisers of the estate of decedents, and appointment and qualification of personal representatives, guardians, curators, committees, by the clerks of circuit courts, approved May 15, 1903, No. 71.

An act to amend and re-enact section 2533 of the Code of Virginia, in reference to the jurisdiction of the probate of wills, as amended by an act approved December 12, 1903, entitled an act to amend and re-enact section 2433 of the Code of Virginia, as amended and approved March 7, 1894, and to amend and re-enact section 2538 of the Code of Virginia, and to amend section 2539 of the Code of Virginia, as amended by an act approved February 1, 1904, in relation to the jurisdiction of the probate of wills, No. 8.

An act to amend and re-enact sections 2599, 2600, 2601 of the Code of Virginia, as amended by an act approved January 2, 1904, providing for the appointment of guardians by the circuit and corporation courts and judges thereof, No. 102.

An act to amend and re-enact section 3768 of the Code of Virginia, amended by an act approved February 26, 1898, which is chapter 3 of the Acts of 1897-1898.

An act to amend and re-enact section 4036 of the Code of Virginia, amended and re-enacted by an act approved February 15, 1904, p. 155.

An act to amend and re-enact section 2689 of the Code of Virginia, in relation to resignation of fiduciary of his trust, No. 208.

An act to amend and re-enact section 2708 of the Code of Virginia, in relation to proceedings by legatees or distributees to compel creditors to show cause against distribution of estate, their liability to respond in such case, No. 209.

An act to amend and re-enact sections 2698, 2700 and 2703 of the Code of Virginia of 1887, in relation to confirmation of fiduciary accounts, and the investment, payment, or distribution of money in hands of fiduciary, No. 211.

An act to amend and re-enact section 2500 of the Code of Virginia, in relation to the Code of 1887, in reference to when and where writings admitted to record, as amended by an act approved February 28, 1896, entitled an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code, in relation to certificates of acknowledgment, No. 214.

An act to amend and re-enact section 2935 of the Code of Virginia of 1887, as amended by acts of 1897-1898, No. 260.

An act to validate orders of publication heretofore made without compliance with the provisions of section 3231 of the Code of Virginia, as amended by an act approved December 10, 1903, No. 274.

An act authorizing the board of supervisors of Patrick and Gray counties, respectively, to levy a capitation tax for school or other county purposes, No. 76.

An act to authorize the judge of the circuit court of Goochland county to appoint a board of county road commissioners for Goochland county, and to define their duties in connection with working the public roads of said county, and to increase the county road levy necessary therefore, No. 170.

An act to amend and re-enact section 832 of the Code of Virginia, amended and re-enacted by an act entitled an act to amend and re-enact section 826, 831, 832, 833, 834, 835, 836, 838, 840, 841, 847, 849 and 850, and to repeal section 839 of the Code of Virginia, approved December 31, 1903, No. 227.

An act to amend and re-enact section 95 of the Code of Virginia, amended and re-enacted by an act entitled an act to amend and re-

enact chapter 9 of the Code of Virginia, as amended and by an act of the General Assembly of Virginia, approved 1903, entitled an act to amend and re-enact chapter 9 of the Virginia of 1887, in relation to the election of State, county and city officers and the terms of their offices, and filling approved December 18, 1903, No. 239.

An act to amend and re-enact section 2 of an act approved 2, 1898, entitled an act to authorize the board of supervisors of county to let to contract public roads of that county, and let keep the same in repair, and to amend section 3 of said act tofore amended, No. 244.

An act to provide a charter for the town of Narrows county, Virginia, No. 277.

An act to repeal an act entitled "an act to provide for the and keeping in order the public roads in the county of Dinwiddie approved February 25, 1892, No. 286.

An act to appropriate \$25,000 for the erection of a building plant to furnish heat, light and power to the Governor's Mansion, State Library building, and the State Capitol, and to provide for the removal of the heat and power plants now in said building,

An act to provide for the purchase and distribution of sand copies of the second edition of Hurst's Guide and No. 168.

An act to amend section 43 of an act entitled an act to raise for the support of the government and public free schools, and the interest on the public debt, and to provide a special taxations, as authorized by section 189 of the Constitution, April 16, 1903, as amended by an act approved February, 1906.

An act to authorize the town of Onancock, in the county of Accomac, Virginia, to borrow money, No. 201.

An act to amend and re-enact section 131 of an act entitled to provide a new charter for the city of Bristol, approved 1900, and to repeal sections 132 and 133 thereof, No. 207.

An act to allow the town of Front Royal to supply said town with the inhabitants thereof, and the inhabitants in the vicinity of said town, with light, and to issue bonds of said town to effect the same, and to hold an election therefor, No. 256.

An act to validate and legalize the issue of certain bonds of the State of Virginia, of date June 1, 1903, and known as refunding works bonds, No. 248.

An act to amend and re-enact section 15 of an act entitled to provide a new charter for the town of Liberty, to extend and change the name to Bedford City, approved March 1903, No. 225.

an act to amend and re-enact an act entitled an act to amend and re-enact article 10 of an act to incorporate the town of Phoebus, in Elizabeth City county, approved January 22, 1900, and amended an act approved April 2, 1902, No. 283.

an act to authorize the town of Blacksburg, in Montgomery county, to donate a sum not exceeding \$1,000 for the purpose of erecting in town a public school building, No. 262.

an act to authorize the board of supervisors of the county of Henrico to levy taxes on dogs in said county, and to provide for the collection of the same, No. 161.

an act to authorize the town of Harrisonburg and the county of Kingham, or either of them, to appropriate money for the purpose of securing the location of a State female normal school at or near the town of Harrisonburg, No. 258.

an act to repeal an act requiring suitable fish ladders upon the banks across Goose Creek, at Leesville, Campbell county, No. 288.

an act to authorize the city of Fredericksburg, Virginia, to issue bonds or registered bonds of the city for the purpose of improving and enlarging the city water works, and for improving the city gas works, No. 290.

an act to repeal an act approved February 29, 1888, entitled "an act to work and keep in order the public roads in the county of Pittsylvania, No. 285.

an act to amend and re-enact section 2716 of the Code of Virginia, amended and re-enacted by an act of the General Assembly of Virginia, approved December 12, 1903, No. 284.

an act to amend and re-enact chapter 536, Acts of Assembly 1903-1904, approved December 31, 1903, entitled an act to authorize parties planting oysters on ground rented from the State to erect piers, docks or watch-houses on the same, No. 202.

an act to amend and re-enact section 613 of chapter 27 of the Code of Virginia, entitled "collection of taxes," No. 162.

an act to authorize and empower the council of the town of Pocahontas, Virginia, to sell a strip of eight feet on the east side of Centre street from St. Clair to what is known as Philadelphia Row, in order to straighten said Centre street and make same of uniform width and to provide that the fund arising from same shall go to the benefit of the public schools of the town, No. 115.

an act to amend and re-enact section 3214 of the Code of Virginia, amended by an act approved December 10, 1903, which is chapter 99 of the Acts of the special session 1902-3-4, No. 287.

an act to amend and re-enact sections 19, 26, and 28 of the charter of the town of Pocahontas, in Tazewell county, Va., No. 109.

an act to provide for the payment of pensioners under the pension act of April 2, 1902, whose claims were not approved and filed in the

office of the Auditor of Public Accounts prior to September No. 188.

An act to amend section 1406, as amended, in relation to the sale of real property by trustees of a congregation, church, religious society, or branch thereof, to sell, exchange, or encumber property, No. 276.

An act to amend and re-enact an act entitled, "An act to appropriate certain sums of money from the public treasury in aid of federate memorial associations having in charge cemeteries containing the graves of Confederate soldiers," approved February 1, 1903, No. 147.

An act to authorize the Board of Fisheries to procure from the State office a complete list of persons holding oyster-planting licenses, assignment of record in the clerk's offices, and the number of acres held by each, and the number of acres occupied for oyster culture not of record in said clerk's offices, No. 200.

And an act to provide offices and rooms for the use of the Department of Education and Public Instruction, for the Supreme Court Appeals and appropriate the sum of \$1,440, or so much more as may be necessary, for the payment of the rental thereon, and to prescribe the method of such payment, No. 235.

They have rejected Senate bills, entitled an act to amend and re-enact section 826 of the Code of Virginia, as amended by an act entitled an act to amend and re-enact sections 832, 833, 834, 835, 836, 838, 840, 841, 846, 847, 849 of the Code of Virginia, to repeal section 839 of the Code of Virginia, approved February 1, 1903, No. 226.

An act to prescribe the qualifications of voters in special elections held under sections 581 and 585 of the Code of Virginia, as before amended, and in all special local option and district elections, No. 213.

They have dismissed Senate bill entitled an act to amend and re-enact section 3049, as amended by an act approved March 1, 1903, as amended by an act approved December 12, 1903, as amended by an act approved January 12, 1904, No. 53.

An act to amend and re-enact chapter 580 of the Acts of the General Assembly, extra session, 1902-3-4, entitled an act to amend and re-enact section 60, chapter 7, of the charter of the city of Richmond, in relation to city officers, No. 265.

An act to prescribe the jurisdiction of boards of supervisors in relation to county roads, toll roads, bridges, ferries, and other matters, No. 228.

They have passed, with amendments, Senate bills entitled an act to provide for evidence of the prepayment of State taxes,

s transferred from one city or county to another city or county,  
104.

and an act to provide for primary elections, No. 44.

They have passed House bills entitled an act to provide for the  
construction of permanent roads in Charlotte county, and to author-  
ize the issuance and sale of the bonds of the county for that purpose,  
234.

An act to authorize the sale of lots purchased by the Common-  
wealth for delinquent taxes, and not redeemed within two years or  
No. 274.

An act to amend and re-enact section 443 of the Code of Virginia,  
relating to making copies of assessments and disposition of copies,  
amended and re-enacted by an act entitled an act to amend and  
re-enact chapter 23 of the Code of Virginia, in relation to the as-  
essment of lands and lots, approved December 10, 1903, so as to  
provide additional time for returning assessments in cities having a  
population of over 50,000 by the last United States census, No. 277.

An act making referees in bankruptcy eligible for the position of  
trustees in towns which have been constituted separate school  
districts, No. 284.

On which amendments and bills they request the concurrence of  
the Senate.

On No. 279, Senate bill to amend and re-enact section 1271 of the  
Code of Virginia, with House amendment.

On the motion of Mr. KEEZELL, the Senate concurred in House amend-  
ment by the following vote—yeas, 22; nays, 0.

Members who voted are:

—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Garrett, Har-  
rison, A. C., Holt, Keezell, Machen, Mann, Massie, Noel, Phlegar, Rison, Sad-  
ler, Sears, Shackelford, Tavenner, Thomas and Wickham—22.

—None.

On No. 104, Senate bill to provide for evidence of the prepayment of  
poll taxes by voters transferred from one city or county to  
another city or county, with House amendments.

On the motion of Mr. MANN, the Senate concurred in the House  
amendments by the following vote—yeas, 24; nays, 0.

Members who voted are:

—Messrs. Barksdale, Bryant, Byars, Chapman, Ford, Garrett, Greear,  
Harrison, A. C., Holt, Keezell, Machen, Mann, Massie, Noel, Phlegar, Rison,

Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Wickham—24.

NAYS—None.

No. 274, House bill to authorize the sale of lots purchased by the Commonwealth for delinquent taxes, and not redeemed for five years or more.

The bill was referred to the Committee on County, Town and City Organization.

No. 277, House bill to amend and re-enact section 4 of the Code of Virginia in relation to making copies of assessment rolls, and distribution of copies, as amended and re-enacted by an act enacted March 1, 1904, and to amend and re-enact chapter 23 of the Code of Virginia in relation to the assessment of lands and lots, approved December 1, 1903, as to provide additional time for returning assessment rolls to a county having a population of over 50,000 by the last United States census.

The bill was referred to the Committee on County, Town and City Organization.

Mr. ANDERSON moved that the Committee on County, Town and City Organization be discharged from further consideration of the bill, which was agreed to, by the following vote—yeas,

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chandler, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, R. Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Wallace and Wickham—34.

NAYS—None.

Mr. ANDERSON moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate was satisfied that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chandler, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Mann, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, R. Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Wallace and Wickham—34.

NAYS—None.

On his further motion, the bill was then passed, with the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapin, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Kamm, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rev. Mr. Sale, Sears, Shackelford, Tavenner, Thomas, Turner, and Wickham—34.

NAYS—None.

No. 234, House bill to provide for the construction of roads in Charlottes county, and to authorize the issuance of bonds of the county for that purpose.

The bill was referred to the Committee on County, City and Town Organization.

Mr. PATTESON moved that the Committee on County, City and Town Organization be discharged from further consideration, which was agreed to, by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapin, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Kamm, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rev. Mr. Sale, Sears, Shackelford, Tavenner, Thomas, Turner, and Wickham—34.

NAYS—None.

Mr. PATTESON moved to dispense with the reading of the bill required by section 50 of the Constitution, and the yeas and nays being ascertained that an emergency exists, it was agreed to by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapin, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Kamm, Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Rev. Mr. Sale, Sears, Shackelford, Tavenner, Thomas, Turner, and Wickham—34.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 34; nays, 0.



Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—34.

**NAYS**—None.

No. 284, House bill making referees in bankruptcy eligible for the position of school trustees in towns which have been constituted separate school districts.

The bill was referred to the Committee on County, City and Town Organization.

No. 44, Senate bill to provide for primary elections, with House amendments.

Mr. BARKSDALE moved that the bill be passed by, which was rejected by the following vote—yeas, 13; nays, 17.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Chapman, Garrett, Holt, Keezell, McIlwaine, Rison, Sale, Shackelford, Tavenner, Thomas, Wallace and Wickham—13.

**NAYS**—Messrs. Anderson, Bryant, Byars, Cromwell, Ford, Fulton, Greear, Gunter, Harman, A. C., Machen, Noel, Ople, Phlegar, Revercomb, Sadler, Sears and Turner—17.

Mr. ANDERSON called the pending question, which was rejected by the following vote—yeas, 14; nays, 19.

Senators who voted are:

**YEAS**—Messrs. Anderson, Bryant, Byars, Ford, Fulton, Greear, Harman, A. C., Mann, McIlwaine, Noel, Ople, Phlegar, Revercomb and Turner—14.

**NAYS**—Messrs. Barksdale, Chapman, Cromwell, Garrett, Gunter, Holt, Keezell, Machen, Massie, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Walker, Wallace and Wickham—19.

Mr. BRYANT moved to pass by the amendment, which was rejected by the following vote—yeas, 15; nays, 15.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Bryant, Campbell, Chapman, Garrett, Harman, A. C., Holt, Keezell, Massie, McIlwaine, Rison, Sale, Shackelford, Tavenner and Wickham—15.

**YAYS**—Messrs. Anderson, Byars, Ford, Fulton, Greear, Gu  
el, Opie, Patteson, Phlegar, Revercomb, Sears, Thomas and

Mr. ANDERSON moved to pass by the amendment, w  
ted by the following vote—yeas, 16; nays, 16.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Bryant, Campbell, Cha  
rman, A. C., Holt, Keezell, Massie, Rison, Sale, Shackelf  
allace and Wickham—16.

**NAYS**—Messrs. Byars, Ford, Fulton, Greear, Gunter, Mach  
el, Opie, Patteson, Phlegar, Revercomb, Sears, Thomas,  
alker—16.

Mr. ANDERSON moved that the bill be passed by a  
pecial order for 11:30 o'clock this day, which was agree  
All other business having been suspended, the Pres  
esence of the Senate, signed the following bills, whi  
assed by both houses of the General Assembly and d  
he titles of said bills having been publicly read:

No. 229, Senate bill to amend and re-enact sub-sect  
ion 185 of the Code of Virginia, and re-enacted by an  
February 7, 1903.

No. 192, House bill to provide a new charter for  
Vinton, in the county of Roanoke, and repeal all acts o  
inconsistent with the same.

No. 170, House bill to amend and re-enact section  
Code of Virginia, as amended and re-enacted by an ac  
et to amend and re-enact section 2844 of the Code of  
elation to public holidays, approved February 28, 1896  
nd re-enacted by an act entitled an act to amend and re  
844 of the Code of Virginia, as amended and re-enac  
o amend section 2844 of the Code of Virginia, in rela  
olidays, approved February 5, 1896, as amended a  
y an act to amend section 2844 of the Code of Virgin  
o public holidays, approved February 19, 1896, as  
enacted by an act entitled an act to amend section  
ode of Virginia in relation to public holidays, app  
902.

No. 286, House bill to repeal an act entitled "an  
r the working and keeping in order the public roads  
Dinwiddie," approved February 25, 1892.

No. 20, Senate bill to appropriate \$25,000 for the  
ilding and plant to furnish heat, light and power to  
ansion, the State Library building, and the State

permit the removal of the heat and power plants now in  
ing.

No. 283, House bill to amend and re-enact an act entitled to amend and re-enact article 10 of an act to incorporate of Phœbus, in Elizabeth City county," approved January and amended by an act approved April 2, 1902.

No. 115, House bill to authorize and empower the corporation of the town of Pocahontas, Va., to sell a strip of eight feet on each side of Centre street from St. Clair to what is known as L. Row, in order to straighten said Centre street and make uniform width, and provide that the fund arising from the sale go to the benefit of the public schools of the town.

No. 285, House bill to repeal an act approved February 1, 1903, entitled, "An act to work and keep in order the public schools of the county of Pittsylvania.

No. 173, Senate bill to establish a dispensary for the sale of intoxicating liquors in the town of Ridgeway, in the county of Loudoun, Virginia, and to prohibit the sale, barter, or exchange of such liquors in said town, except as provided by this act.

No. 190, Senate bill to amend and re-enact section 14 of the General Assembly of Virginia, entitled "an act to amend and re-enact sections 75 to 147, inclusive, of an act approved March 1, 1903, and to provide how social clubs chartered since April 1, 1903, shall obtain license to sell ardent spirits, etc.

No. 225, House bill to incorporate and provide a charter for the town of Parksley, Virginia.

No. 127, House bill appropriating the public revenue for the period of five months beginning the first day of October, 1903, and ending on the 29th day of February, 1904, and for the years ending, respectively, on the 28th day of February, 1905, and the 28th day of February, 1906.

No. 58, Senate bill to repeal sections 1304, 1305 and 1306 of the Code of Virginia.

No. 218, House bill to authorize the District School Board of the Franktown School District, in Northampton county, to raise money for the purpose of erecting and furnishing a school building near the town of Franktown, and to provide for the payment of the same.

Mr. PHILEGAR, by unanimous consent, presented the following joint resolution:

Whereas, it seems probable that all of the bills which have been passed at the present session of the General Assembly cannot be properly enrolled and examined to-day; and

Whereas, it is necessary that this session of the General Assembly should be extended for a time sufficient to enable such enrollment and examination to be made; therefore, be it

Resolved by the Senate, the House of Delegates concurring, That present session of the General Assembly be extended until Tuesday, March 15, 1904, at one o'clock P. M., without pay to the members of either branch of the Assembly. Nothing herein contained shall be construed as affecting the joint resolution heretofore adopted regarding to the passage of bills after twelve o'clock to-day, but extended bills may be signed by the presiding officers in the manner required by law at any time before final adjournment.

Which was adopted by the following vote—yeas, 34; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, D. Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, N. Massie, McIlwaine, Noel, Opie, Patteson, Phlegar, Revercomb, Rison, W. R. Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Walcott and Wickham—34.

NAYS—None.

and he was ordered to inform the House of Delegates thereof. A message was received from the House of Delegates by Mr. Mason, who informed the Senate that that house had agreed to Senate joint resolution extending the session of the General Assembly until Tuesday, March 15, 1904.

Mr. BYARS, by leave, presented the following resolution:

Resolved by the Senate, the House of Delegates concurring, That the resolution heretofore adopted limiting the time in which bills of either house can be passed, be, and the same is, hereby repealed; and be it further

Resolved, That no bills shall be passed by either the House of Delegates or the Senate after 6 o'clock P. M., Saturday, March 12, 1904.

Mr. BYARS moved that the rules be suspended and the resolution taken up, which was rejected.

A message was received from the House of Delegates by Mr. Byars, who informed the Senate that that house had passed House resolution as to concurrent oyster legislation with Maryland.

Mr. WALKER moved that the resolution be laid on the table, which was agreed to.

No. 261, House bill to authorize the Governor of Virginia to lease rooms and offices as may be necessary for the transaction of the public business by the Governor, Secretary of the Commonwealth, Register of the Land Office, the Public Printer, the Commissioner of Labor, Clerk of the House of Delegates and Keeper of Rolls, and other official having offices in the Capitol building, or any of them

and for the storage of public property and records so rooms or offices may be necessary during the time occupied by enlargement, renovation and repair of the State Capitol building, appropriating money to pay the rentals thereof.

Mr. ANDERSON moved that the rules be suspended and the bill taken up out its order, which was agreed to by the following vote—yeas, 31; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Gunter, Harman, A. C., Holt, K. Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallacham—31.

NAYS—None.

Mr. ANDERSON moved to dispense with the reading of the bill required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Holt, Keezell, Machen, Mann, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—32.

NAYS—None.

On his further motion the bill was then passed, with the following vote—yeas, 32; nays, 0.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wickham—32.

NAYS—None.

No. 238, House bill authorizing the city of Newport to issue \$56,000.00 bonds for the payment of the balance of the contract for paving Washington avenue and Twenty-fifth street, &c.

to repeal all of the acts heretofore attempting to give this authority to said city.

The rules being suspended, the bill was taken up.

Mr. HOLT moved to reconsider the vote by which the bill was rejected, which was agreed to.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 34; nays, 1.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Bryant, Byars, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Machen, Mann, Massie, McIlwaine, Noel, Ople, Patteson, Phlegar, Revercomb, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker and Wickham—34.

NAYS—Mr. Wallace—1.

No. 67, House bill to prohibit the enticing away, hiring, or having employment laborers of another during their contract term of service, and to provide public punishment, and the recovery of private damages therefor.

Mr. RISON moved that the rules be suspended and the bill taken out of its order, which was rejected by the following vote—yeas, 34; nays, 8.

Senators who voted are:

YEAS—Messrs. Anderson, Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, McIlwaine, Ople, Patteson, Rison, Sadler, Sale, Sears, Shackelford, Tavenner, Walker and Wickham—25.

NAYS—Messrs. Byars, Greear, Noel, Phlegar, Revercomb, Thomas, Turner and Wallace—8.

No. 183, House bill extending the time of the assessment and payment of the franchise tax on corporations for the year, 1904.

On motion of Mr. WICKHAM the rules were suspended and the bill taken up.

Mr. WICKHAM moved to reconsider the vote by which the bill was rejected, which was agreed to.

On his further motion the bill was then passed, with its title, by the following vote—yeas, 28; nays, 4.

Senators who voted are:

YEAS—Messrs. Barksdale, Campbell, Chapman, Cromwell, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Mann, Massie, McIlwaine,

Noel, Ople, Patteson, Revercomb, Rison, Sadler, Sale, Sears, Thomas, Turner, Walker, Wallace and Wickham—28.

**NAYS**—Messrs. Byars, Keezell, Phlegar and Tavenner—4.

No. 235, House bill to authorize and empower the court of the town of Shenandoah, Virginia, to borrow money by the issue of bonds for the construction and establishment of a system of water works in and for the use of said town; to construct and establish water works, and a sewerage system, if needed.

On motion of Mr. FULTON the rules were suspended and the bill taken up.

On his further motion the bill was then passed, with the following vote—yeas, 33; nays, 0.

Senators who voted are:

**YEAS**—Messrs. Anderson, Barksdale, Byars, Campbell, Chapman, Ford, Fulton, Garrett, Greear, Gunter, Harman, A. C., Holt, Keezell, Mann, Massie, McIlwaine, Ople, Patteson, Phlegar, Revercomb, Sadler, Sale, Sears, Shackelford, Tavenner, Thomas, Turner, Walker, Wallace and Wickham—33.

**NAYS**—None.

On motion of Mr. RISON, the chair was vacated until 6 o'clock P. M.

## EVENING SESSION.

SATURDAY, MARCH 12, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

On motion of Mr. MCILWAINE, the Senate resolved itself into a recessive session, and having dispatched the business before it, the doors were opened and the following resolutions, adopted in the previous session (the injunction of secrecy being removed), were ordered to be spread on the Journal of the Senate, and a copy thereof to be forwarded to the Governor:

Resolved, That the Senate advise and confirm the following appointments as members of the Board of Visitors of the Military Institute: Lloyd T. Smith, Heathsville; Francis W. Alexandria; Philip F. Brown, Botetourt; Thomas W. She

k; John N. Upshur, Richmond, each for a term of two years, beginning July 1, 1904, and Alexander Hamilton, Petersburg; James White, Abingdon; Alfred F. Revenel, Roanoke; W. T. Shields, Lexington, each for a term of four years, beginning July 1, 1904. Resolved, That the Senate advise and confirm the following appointments, as members of the Board of Trustees of the State Female Normal School: Geo. C. Walker, Montgomery; John Jackson, Richmond; C. W. Robinson, Newport News; E. C. Glass, Lynchburg; Chas. E. Vawter, Albemarle; H. C. T. Richmond, Lee; J. Hunt Hargrave, Pittsylvania, each for a term of two years, beginning July 1, 1904; and Ro. Turnbull, Brunswick; Rev. James Nelson, D. D., Richmond; C. Harding Walker, Northumberland; S. Ware, Clarke; Wm. E. Anderson, M. D., Prince Edward; Edward S. Turner, Fauquier, for a term of four years, beginning July 1904.

Resolved, That the Senate advise and confirm the following appointments as members of the Board of Visitors of the Virginia Agricultural and Mechanical College and Polytechnic Institute: J. Ryan, Loudoun; B. B. Brokenbrough, Essex; J. S. Musgrave, Southampton; D. M. Cloyd, Pulaski, each for a term of two years, beginning July 1, 1904; and J. Thompson Brown, Bedford; Randolph B. Robertson, Washington; J. Cullen Carrington, Charlotte; J. B. Watkins, Chesterfield, each for a term of four years, beginning July 1, 1904.

Mr. CHAPMAN presented the following committee report:

*the Senate of Virginia;*

The committee to examine the office of the Clerk of the Senate performed its duty as required by the rules of the Senate, and find the records, books and papers of the office in a good state of preservation, and systematically and conveniently arranged for reference, and that the clerk performs his duties with marked fidelity and ability.

Respectfully submitted this 12th day of March, 1904.

JOHN S. CHAPMAN,  
GEO. B. KEEZELL,  
J. LAWRENCE CAMPBELL.

Which was taken up and adopted.

All other business having been suspended, the President, in the absence of the Senate, signed the following bills which had been passed by both houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 59, House bill to repeal chapter 817 of the Acts of the General



ral Assembly of 1897-'98, approved March 3, 1898, chapter 405 of the Acts of the General Assembly of the extra session of 1901, approved February 16, 1901; chapter 4 of the Acts of the General Assembly of 1895-'6, approved December 14, 1895; chapter 405 of the Acts of the General Assembly of 1895-'6, approved December 12, 1896; chapter 405 of the Acts of the General Assembly of 1901-'2, approved March 29, 1902, and chapter 688 of the Acts of the General Assembly of 1897-'8, approved March 3, 1898.

No. 60, House bill to amend and re-enact section 1 of an act approved March 6, 1900, entitled "an act to provide for working and keeping in repair the public roads and bridges in Giles county."

No. 264, House bill to incorporate the town of Madison in Amherst county.

No. 180, Senate bill to amend and re-enact an act approved March 5, 1900, entitled "an act to provide for the establishment, discontinuance and working and keeping in repair the public roads and bridges of Giles county and to punish obstructions of the commissioners in the discharge of their duties," and also to punish officials of Giles county for any neglect of their official duties.

No. 75, House bill to provide a road law for Appomattox county and to repeal all acts in conflict therewith.

No. 208, House bill to provide for creating, working and keeping in repair public roads in Fairfax county, and defining the boundaries of the same.

No. 196, Senate bill to amend section 43 of an act approved March 5, 1900, entitled "an act to raise revenue for the support of the government of the State, to free schools, and to pay the interest on the public debt, and to provide a special tax for pensions, as authorized by section 43 of the Constitution," approved April 16, 1903, as amended by an act approved February, 1904.

No. 98, House bill concerning liquor dealers depriving them of licenses by a local option election or by the establishment of a salubrious dispensary.

No. 277, Senate bill to provide a charter for the town of Madison in Giles county, Virginia.

No. 109, Senate bill to amend and revise and re-enact sections 26 and 28 of the charter of the town of Pocahontas, in Giles county, Virginia.

No. 169, House bill to provide a road law for Russell county, Virginia, and to repeal chapter 237 of the Acts of the General Assembly of 1902-1903-1904 of said Acts.

No. 53, House bill to amend and re-enact section 20 of an act approved March 5, 1894, entitled "an act to amend the charter of the town of Gladeville, in Wise county."

No. 260, Senate bill to amend and re-enact section 2935 of the Code of Virginia of 1887, as amended by the Acts of 1897-1898.

No. 147, Senate bill to amend and re-enact an act entitled "an act to appropriate certain sums of money from the public treasury in aid of Confederate memorial associations having in charge cemeteries containing the graves of Confederate soldiers," approved February 3, 1904.

No. 244, Senate bill to amend and re-enact section 2 of an act approved March 2, 1898, entitled an act to authorize the board of supervisors of Floyd county to let to contract public roads of that county, and levy tax to keep the same in repair, and to amend section three of said act, as heretofore amended.

No. 139, Senate bill making an appropriation for the benefit of the Virginia State Horticultural Society.

No. 223, Senate bill to amend charter of town of LaCrosse, Mecklenburg county, Virginia.

No. 158, Senate bill to authorize the councils of towns, villages, or where there are no such councils, the board of supervisors of any county in which there may be any town, village or other point in this State not having adequate police protection, to prohibit the transportation by railroad companies of excursions or picnic parties, and to make it unlawful for railroad companies to transport excursions or picnic parties to such towns, villages, or other points in this State under certain conditions.

No. 208, Senate bill to amend and re-enact section 2689 of the Code of Virginia of 1887, in relation to resignation of fiduciary of his trust.

No. 202, Senate bill to amend and re-enact chapter 536, Acts of Assembly 1902-1903-1904, approved December 31, 1903, entitled an act to authorize parties planting oysters on grounds rented from the State to erect piers, docks or watch-houses on the same.

No. 203, House bill to protect pheasants or grouse in the counties of Accomac and Northampton.

No. 237, House bill to amend and re-enact section seven of the charter of the town of Luray, Page county, Virginia, as amended and re-enacted by an act approved March 5, 1894.

No. 100, House bill for the protection of squirrels in Southampton and Isle of Wight counties.

No. 39, Senate bill prescribing and defining the right to an attorney's lien in certain cases.

No. 107, Senate bill in relation to fish ladders on the Rapidan river, between the counties of Culpeper, Orange and Madison.

No. 227, Senate bill to amend and re-enact section 832 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact sections 826, 831, 832, 833, 834, 835, 836,

838, 840, 841, 846, 847, 849 and 850 and to repeal section of the Code of Virginia, approved December 31, 1903.

No. 215, Senate bill to amend and re-enact section 14 of the Code of Virginia.

No. 274, House bill to validate certain orders of public tofore made without compliance with the provisions of section of the Code of Virginia, as amended by an act approved 10, 1903.

No. 50, House bill to allow the street mileage in the Chase City, county of Mecklenburg, Virginia, to be included in the mileage of county public roads, and to receive its pro rata share of county road levy.

No. 235, Senate bill to provide offices and rooms for the department of education and public instruction, for the court of appeals, and to appropriate the sum of \$1,440, or so much thereof as may be necessary, for the payment of the rent of such offices and to prescribe the method of such payments.

No. 258, Senate bill to authorize the town of Harrisonburg, county of Rockingham, or either of them, to appropriate money for the purpose of securing the location of a State female normal school at or near the town of Harrisonburg.

No. 170, Senate bill to authorize the judge of the circuit court of Goochland county to appoint a board of county road commissioners for Goochland county, and to define their duties in connection with working the public roads of said county, and to increase the road levy necessary therefor.

No. 209, Senate bill to amend and re-enact section 2702 of the Code of Virginia of 1887 in relation to proceedings by distributees to compel creditors to show cause against discharge of estate, their liability to refund in such case.

No. 211, Senate bill to amend and re-enact sections 2702 and 2703 of the Code of Virginia of 1887, in relation to confirmation of fiduciary accounts, and the investment, payment and distribution of money in hands of fiduciary.

No. 161, House bill to authorize the supervisors of Carroll county to grant permission for a monument to the Confederate soldiers of said county to be erected in the court-house square of said county and to make appropriation thereto.

No. 161, Senate bill to authorize the board of supervisors of Henrico county to levy taxes on dogs in said county and to provide for collection of same.

No. 207, Senate bill to amend and re-enact section 132 of the Code of Virginia, entitled an act to provide a new charter for the city of Norfolk, approved March 5, 1900, and to repeal sections 132 and 133 of the Code of Virginia.

No. 225, Senate bill to amend and re-enact section 15 of an act titled "an act to provide a new charter for the town of Liberty, extend its limits and change its name to Bedford City, approved March 3, 1890.

No. 104, House bill to prohibit the establishment, location or maintenance of small-pox hospitals or pest houses within fifty yards of any street, public road, public park or public cemetery in any town or county of the Commonwealth, or to hereafter establish such hospital or pest house within one hundred and fifty yards of any public road, public park or cemetery, in any county of the Commonwealth.

No. 25, House bill to have plats of oyster planting grounds enclosed "abandoned" under certain conditions, and to authorize the leasing of such ground.

No. 207, House bill to amend and re-enact section 10, chapter 1 of an act concerning public service corporations, approved January 18, 1904, providing for the appointment of police agents and licensing certain persons conservators of the peace.

No. 17, House bill to amend and re-enact section 1764 of the Code of Virginia, as amended by an act approved March 5, 1894, relating to the practice of pharmacy.

No. 144, House bill to provide punishment for maliciously or unlawfully shooting at or throwing stones or other missiles at or against any train or car of any railroad, or other transportation company, or at or against any vessel or river craft.

No. 57, House bill to repeal sections 1334, 1335 and 1336 of the Code of Virginia.

No. 252, House bill to amend and re-enact chapter 580 of the Code of the General Assembly, extra session 1902-3-4, entitled "an act to amend and re-enact section 60, chapter 7, of the charter of the City of Portsmouth, in relation to city officers.

No. 145, House bill to amend and re-enact section 3725 of the Code of 1887, as amended and re-enacted by an act approved March 5, 1894, and as further amended and re-enacted by an act approved March 5, 1896, to provide punishment for maliciously or unlawfully damaging or injuring any part of a canal or railroad, or any bridge or structure thereof, or for maliciously or unlawfully obstructing, interfering with or injuring any machinery, engine, car or work of, or for maliciously or unlawfully opening, closing, displacing, tampering with or injuring any switch, switch point or switch or signal of any railroad company.

No. 44, Senate bill to provide for primary elections, with House amendments, was taken up.

Mr. SADLER moved that the Senate adjourn until Monday next

at 11 o'clock A. M., which was agreed to by the following vote—  
yeas, 12; nays, 11.

Senators who voted are:

**YEAS**—Messrs. Barksdale, Campbell, Cromwell, Keczell, Massie, McIlwaine, Ople, Sadler, Sale, Tavenner, Thomas and Walker—12.

**NAYS**—Messrs. Anderson, Byars, Ford, Fulton, Greear, Gunter, Machen, Patteson, Phlegar, Sears and Turner—11.

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## MONDAY, MARCH 14, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

Journal of Saturday read by the clerk.

A communication from the House of Delegates, by their clerk,  
was read as follows:

### *In House of Delegates, March 12, 1904.*

The House of Delegates has passed Senate bills entitled

An act to amend and re-enact an act entitled an act to prescribe the jurisdiction of the several boards of supervisors of the counties of Frederick, Clarke, Warren, Page, and Shenandoah, on and after the first day of February, 1904, in matters pertaining to county roads, toll roads, bridges, ferries, mills, fences, stock-laws and apprentices, approved May 20, 1903, and to fix the times of meeting of the boards of supervisors of said counties, No. 293.

An act to amend and re-enact section 273 of the Code of Virginia, in relation to the duties of the Superintendent of Public Printing, No. 269.

And an act to change the name of "Tanner's Creek" to the Northern Branch of Elizabeth River, No. 292.

No. 44, Senate bill to provide for primary elections, with House amendments, was taken up.

No. 62, House bill to repeal chapter 630 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 192 of the Acts of the General Assembly of 1887-8, approved February 23, 1888; chapter 373 of the Acts of the General Assembly of 1887-88, chapter 450 of the Acts of the General Assembly of 1887-8, approved March 6, 1888; chapter 67 of the Acts of the General Assembly of 1889-90, approved February 17, 1890; chapter 169 of the Acts of

General Assembly of 1889-90, approved March 3, 1890; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and of chapter 614 of the Acts of the General Assembly of 1891-2, approved March 3, 1892; chapter 52 of the Acts of the General Assembly of 1893-4, approved January 22, 1894; chapter 737 of the Acts of the General Assembly of 1893-4, approved March 5, 1894; chapter 277 of the Acts of the General Assembly of 1895-6, approved February 11, 1896; chapter 181 of the Acts of the General Assembly of 1897-8, approved February 1, 1898, as amended by an act approved December 24, 1899, and by an act approved March 13, 1903; chapter 226 of the Acts of the General Assembly of 1899-1900, approved January 30, 1900, as amended by an act approved February 15, 1901; chapter 312 of the Acts of the General Assembly of 1899-1900, approved February 9, 1900, as amended by an act approved February 16, 1901; chapter 328 of the Acts of the General Assembly of 1899-1900, approved February 14, 1900; chapter 880 of the Acts of the General Assembly of 1899-1900, approved March 6, 1900; chapter 64 of the Acts of the General Assembly of 1901-2, approved January 16, 1902; chapter 595 of the Acts of the General Assembly of 1901-2, approved April 2, 1902; section 2 of chapter 438 of the Acts of the General Assembly of 1893-4, approved February 27, 1894; chapter 346 of the Acts of the General Assembly of 1899-1900, approved February 14, 1899; chapter 689 of the Acts of the General Assembly of 1899-1900, approved March 2, 1900, and chapter 966 of the Acts of the General Assembly of 1899-1900, approved March 7, 1900.

House bill to amend and re-enact subsection 2 of section 2078 and section 2079 of the Code of Virginia, as amended by an act approved May 14, 1903, entitled "an act to amend and re-enact section 95 of the Code of Virginia, in relation to the preservation of certain useful birds and animals, and to prevent unlawful hunting and to repeal certain sections of the Code, etc."

House bill to amend section 753 of the Code of Virginia, as amended and re-enacted by an act approved December 3, 1903, entitled "an act to amend and re-enact section 753 of the Code of Virginia, as amended and re-enacted by an act entitled an act to amend and re-enact section 753 of the Code of Virginia relating to depositories," approved February 13, 1900, as amended and re-enacted by an act entitled an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved March 15, 1902, and as amended and re-enacted by an act entitled "an act to amend section 753 of the Code of Virginia, as amended, in relation to State depositories," approved April 2, 1902.

House bill to amend and re-enact section 2, chapter

453, Acts of Assembly 1901-2, approved April 2, 1902, entitled an act to aid the citizens of Virginia who were disabled by wounds received during the war between the States, while serving as soldiers, sailors or marines of Virginia, and such as served during the said war as soldiers, sailors or marines of Virginia who are not disabled by disease contracted during the war or by the infirmities of age, and the widows of soldiers, sailors or marines of Virginia who lost their lives in said service or whose death resulted from wounds received or disease contracted in said service, and providing penalties for violating the provisions of this act.

No. 103, Senate bill to amend and re-enact section 3768 of the Code of Virginia, as amended by an act approved February 2, 1898, which is chapter 513 of the Acts of 1897-1898.

No. 196, House bill to amend and re-enact section 3059 of the Code, as amended by an act approved December 26, 1903, entitled an act to repeal sections 3063, 3065, 3066 and 3067 of the Code of Virginia, and to amend and re-enact sections 3056, 3057, 3058, 3059, 3060 and 3062 of the Code as heretofore amended, and as further amended by an act approved February 23, 1904, in so far as the same applies to the 5th, 7th, 13th, 15th, 20th and 21st judicial circuits.

No. 30, House bill to require the owner or owners of steamboat wharves to provide thereat suitable accommodations for the patrons of steamboats using the same.

No. 159, House bill to amend and re-enact an act approved March 28, 1902, entitled "an act to amend and re-enact an act entitled an act to declare Clinch river and Clinch mountain, in Russell county, a lawful fence," approved January 22, 1900.

No. 292, House bill to change the name of Tanner's Creek to the Northern Branch of the Elizabeth River.

No. 200, Senate bill to authorize the board of fisheries to procure for use in its office a complete list of persons holding oyster planting ground by assignment of record in the clerk's offices, and the number of acres held by each, and the number of acres occupied for oyster planting not of record in said clerk's office.

No. 162, Senate bill to amend and re-enact section 613 of the Code of Virginia, as amended by an act approved April 2, 1902, and to amend and re-enact section 614 of the Code of Virginia, as amended by an act approved March 5, 1888, as amended by an act approved February 29, 1888.

No. 247, House bill to provide for the establishment of a dispensary for the sale of intoxicating liquors in the town of Rocky Mount, Franklin county, Virginia.

No. 288, Senate bill to repeal an act entitled an act requiring

itable fish ladders upon the dam across Goose creek at Leesville, Campbell county.

No. 28, House bill to repeal an act entitled an act for the protection of fish in the waters of the north fork of Holston river, in the county of Scott, approved March 15, 1902.

No. 23, House bill to amend and re-enact sections 1 and 2 of an act entitled an act to amend and re-enact section 1 of an act approved February 5, 1900, entitled an act to authorize and empower the State Board of Fisheries to employ a surveyor or surveyors, and making an appropriation for compensation of the same, approved March 28, 1902.

No. 239, Senate bill to amend and re-enact section 95 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact chapter 9 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia," approved May 20, 1903, entitled "an act to amend and re-enact chapter 9 of the Code of Virginia of 1887, in relation to the election of state, county, district and city officers, and the term of their offices, and filling vacancies," approved December 18, 1903.

No. 276, Senate bill to amend section 1406, as amended, in relation to proceedings by trustees of a congregation, church, religious denomination, society, or branch thereof, to sell, exchange or encumber the trust property.

No. 284, Senate bill to amend and re-enact section 2716 of the Code of Virginia, as amended and re-enacted by an act of the General Assembly of Virginia, approved December 12, 1903.

No. 174, Senate bill to authorize the city of Bristol, Virginia, to make additional issue of bonds for water works improvement.

No. 198, House bill to require the State Corporation Commission to recall assessments made, and not to further assess building and loan associations or companies with State franchise tax for the year 1904.

No. 15, Senate bill to amend and re-enact section 3427 of the Code of Virginia as heretofore amended.

No. 155, Senate bill to amend and re-enact section 4036 of the Code of Virginia, as amended and re-enacted by an act approved February 15, 1904.

No. 61, House bill to repeal sections 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122 and 1123, section 1124, as amended by an act approved February 13, 1890, sections 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133 and 1134, section 1135, as amended by an act approved January 9, 1896, sections 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143 and 1144, section 1145, as amended by an act



approved February 20, 1892, and by an act approved January 17, 1896, and by an act approved April 2, 1902, sections 1146 and 1147, section 1148, as amended by an act approved February 17, 1890, sections 1149, 1150, 1151, 1152 and 1153 of chapter 47 of the Code.

No. 102, Senate bill to amend and re-enact sections 2599, 2600, 2601 and 2602, as amended by an act approved January 2, 1904, providing for the appointment of guardians by the circuit and corporation courts, and the judges thereof.

No. 214, Senate bill to amend and re-enact section 2500 of the Code of Virginia, edition of 1887, in reference to when and where writings admitted to record, as amended by an act approved February 28, 1896, entitled "an act to amend and re-enact section 2500 of the Code of Virginia, and to amend and re-enact section 2501 of the Code, as amended and re-enacted by an act approved February 10, 1890, entitled an act to amend and re-enact section 2501 of the Code in relation to certificates of acknowledgment."

No. 76, Senate bill authorizing the board of supervisors of Patrick and Grayson counties, respectively, to levy a capitation tax for school and other county purposes.

No. 165, House bill for working and keeping in repair the public roads and bridges in the county of Buckingham, and to levy a capitation tax in connection therewith.

No. 199, House bill to amend and re-enact an act approved January 2, 1904, entitled "an act to provide for the release of contracts of sale of personal property, docketed under section 2462 of the Code of Virginia, approved 28th day of February, 1890.

No. 275, House bill to empower the council of the town of Berryville to submit at a special election to the qualified voters of said town whether or not said town shall buy the plant and franchise of the Battletown Gas Company, and to borrow money to pay for same, or to issue bonds therefor, provided the same can be secured for \$5,500.

No. 290, Senate bill to authorize the city of Fredericksburg, Virginia, to issue coupon or registered bonds of the city for the purpose of improving and enlarging the city water works, and for improving the city gas works.

No. 256, Senate bill to allow the town of Front Royal to supply said town, the inhabitants thereof and the inhabitants in the vicinity of said town, with light, and to issue bonds of said town to effect said purpose, and to hold an election therefor.

No. 181, House bill to amend and re-enact section 1670 of the Code of Virginia, as amended and re-enacted by an act entitled "an act to amend and re-enact sections 1660 to 1712, inclusive, of the

le of Virginia, in relation to State hospitals for the insane and commitment of insane persons," approved March 7, 1900, as amended and re-enacted by an act approved April 7, 1903.

No. 179, House bill to amend section 304 of the Code of Virginia, amended by an act approved March 5, 1894, as further amended by an act approved May, 20, 1903, and by an act approved December 12, 1903, and as further amended by an act approved January 1904.

No. 240, House bill to authorize the town of Tazewell to borrow money.

No. 155, House bill for relief of corporations from excessive or unequal taxation.

No. 201, Senate bill to authorize the town of Onancock, in the County of Accomac, Virginia, to borrow money.

No. 168, Senate bill to provide for the purchase and distribution of two thousand copies of the second edition of Hurst's Guide and Manual.

No. 248, Senate bill to validate and legalize the issue of certain bonds of Bristol, Virginia, of date June 1, 1903, and known as reeling and water works bonds.

No. 272, House bill to amend and re-enact an act entitled "an act providing for the making, changing and working of roads in the County of Rockingham, approved March 2, 1888, as amended by an act of the General Assembly, approved March 5, 1890; as further amended by an act of the General Assembly, approved March 2, 1894, and as further amended by an act of the General Assembly approved February 26, 1896."

No. 233, House bill to amend and re-enact an act approved January 29, 1898, entitled an act to provide for working and keeping in repair the public roads of Amherst county, as amended and re-enacted by an act approved March 2, 1898, and to repeal an act approved March 14, 1902, entitled an act to authorize the board of supervisors of said county to expend surplus money on roads and bridges.

No. 269, House bill to provide for opening, working and changing of public roads in Rappahannock county and building and repairing bridges therein.

No. 183, House bill extending the time of the assessment and payment of the franchise tax on corporations for the year 1904.

No. 121, Senate bill to amend and re-enact an act entitled "an act to amend and re-enact an act entitled an act to amend and re-enact an act to amend and re-enact section 3319 of chapter 163 of the Code of Virginia, in relation to the appointment of commissioners in chancery, as amended and re-enacted by an act approved

February 4, 1890; and by an act approved February 24, by an act approved February 4, 1892; and by an act approved February 29, 1894; and by an act approved February 27, 1895; and by an act approved January 18, 1896; and by an act approved January 12, 1898, approved February 17, 1900, and by an act approved February 15, 1901."

No. 185, House bill authorizing the Prison Association of Virginia to expend in certain improvements, and in the purchase of equipment and conduct of its Sloyd Manual Training School, a sum of \$7,223.48 in its possession, being balance of \$9,000 appropriated to it under act approved April 2, 1902, approved April 2, 1903, of public revenues for the two fiscal years ending, respectively, September 30, 1902, and September 30, 1903.

No. 216, House bill to authorize the trustees of Abingdon district, in Gloucester county, to borrow money and to incur indebtedness therefor.

House joint resolution as to the concurrent oyster legislation of Maryland.

On motion of Mr. SALE, the resolution was taken up and read.

Mr. SALE moved that when the Senate adjourns to-morrow to meet at 9:30 o'clock A. M., to-morrow, adjourn to meet at 9:30 o'clock A. M., to-morrow, agreed to.

Mr. ANDERSON presented the following resolution:

Resolved by the Senate, That the thanks of this body are heartily extended to the President of the Senate for his various ability with which he has discharged the arduous duties of his office—duties more difficult and delicate than usually fall upon the shoulders of the chair by reason of the intricate constitutional questions coming under the new Constitution, which were frequently presented to the decisions to be given by the chair. This body freely and gratefully record its sense of the promptness, ability, impartiality and fairness exhibited on many occasions by President WILLARD in the discharge of his duties, and in his high opinion of him both as a man and an officer.

Resolved, further, That the thanks of the Senate are also extended to its clerk, who has again displayed his high fitness for the position which he so ably fills. And to his capable and courteous assistants, to its courteous door-keeper, librarian and sergeant-at-arms and to all of whom have discharged their duties to the entire satisfaction of the Senate, which was adopted.

On motion of Mr. CROMWELL, the Senate adjourns to-morrow at 9:30 o'clock A. M.

TUESDAY, MARCH 15, 1904.

Lieutenant-Governor JOSEPH E. WILLARD in the chair.

All other business having been suspended, the President, in the presence of the Senate, signed the following bills, which had been passed by both Houses of the General Assembly and duly enrolled, the titles of said bills having been publicly read:

No. 55, House bill to repeal sections 1287, 1288, 1289, 1290 and 1291, section 1292, amended by an act approved March 6, 1900; sections 1293 and 1294 of the Code of Virginia.

No. 204, House bill to amend and re-enact section 2 of an act entitled "an act to provide for the appointment of police justices, and their jurisdiction in cities of a population of ten thousand and over, in which, by the terms of their charters, no provision is made for the election or appointment of police justices," approved December 31, 1903.

No. 122, House bill to amend and re-enact an act entitled "an act in relation to fraudulent conversion of property held under trust or mortgage," approved May 23, 1887, as amended by an act approved February 14, 1898, making the said act apply to the fraudulent disposal of personal property by any person who had agreed in writing that the title or ownership of the same shall be or remain in another person without the written consent of such other, larceny.

No. 56, House bill to repeal sections 1295, 1296 and 1297 of the Code of Virginia.

No. 287, Senate bill to amend and re-enact section 3214 of the Code of Virginia, as amended by an act approved December 10, 1903, which is chapter 409 of the Acts of special session of 1902-3-4.

No. 157, House bill to authorize the board of supervisors of Middlesex county to borrow money for the purpose of rebuilding the jail and repairing the clerk's office of said county and to issue bonds therefor.

No. 254, House bill to authorize the use of convicts confined in the penitentiary in digging the foundation of the proposed addition to the State capitol, and in digging the foundation of the heat, light and power plant proposed for the State capitol and other buildings, and in grading or moving property incident to either of said undertakings, and to require the board of directors of the penitentiary to furnish, under guard, such convicts as are called for by the Capitol Building Committee.

No. 188, Senate bill to provide for the payment of pensions under the pension act of April 2, 1902, whose claims were not approved and filed in the office of the Auditor of Public Accounts prior to September 1, 1903.

No. 268, House bill to repeal an act entitled an act to the Warrenton and Marshall Road Company, approved 1887.

No. 267, House bill to repeal an act entitled an act to the Warrenton and Fauquier White Sulphur Springs Company, approved March 5, 1880.

No. 65, House bill to amend and re-enact section 2199 of the Code of Virginia, in relation to burial of hogs from disease, as amended and re-enacted by an act approved February 30, 1890, and by an act approved February 14, 1896, and require the cremation or burial of all animals or fowls that are contagious or infectious diseases, and fixing the penalties therefor.

No. 281, Senate bill to validate certain records and proceedings of the circuit court of Chesterfield county.

No. 224, House bill to authorize the board of supervisors of Mecklenburg county to issue a duplicate bond.

No. 169, Senate bill to amend and re-enact section 23 of the Code of Virginia, as amended and re-enacted by an act approved December 10, 1903, entitled "an act to amend and re-enact section 23 of the Code of Virginia, in relation to the assessment of land and lots."

No. 173, House bill to protect certain fish in the bays, inlets and streams tributary to the Potomac river, in the State of Virginia.

No. 29, House bill for the protection of pheasants and other game birds imported for propagation.

No. 241, House bill to amend and re-enact section 3 of an act approved March 5, 1900, as amended and re-enacted by an act approved April 2, 1902, entitled "an act to provide for the protection of dogs in the county of Rappahannock, and the protection of the same therein."

No. 276, House bill to amend and re-enact an act entitled an act to amend and re-enact article 10 of an act to incorporate the city of Phoebus, in Elizabeth City county, approved January 1, 1902, as amended by an act approved April 2, 1902.

No. 255, Senate bill to secure the better enforcement of the option laws of the State, and to define the jurisdiction of the counties of this State as to water courses lying between adjacent and opposite counties or magisterial districts in which the option prevails.

No. 130, House bill to provide for the removal of the statue of Washington from the Capitol to the Library of Congress to some other place.

No. 239, House bill to amend and re-enact section 3711 of the Code of Virginia, as heretofore amended, so as to repeal so much thereof as applies to the county of Dinwiddie.

No. 262, Senate bill to authorize the town of Blacksburg, in Montgomery county, to donate a sum not exceeding \$1,000 for the purpose of erecting in said town a public school building.

No. 175, House bill to amend and re-enact section 723 of the Code of Virginia, as amended by an act approved December 10, 1903.

No. 96, House bill to amend and re-enact section 3804 of the Code of Virginia, as amended by an act approved March 5, 1900.

No. 235, House bill to authorize and empower the council of the town of Shenandoah, Virginia, to borrow money by the issue of bonds for the construction and establishment of a system of water works and for the use of said town, to construct and establish such works, and a sewerage system if needed.

No. 269, Senate bill to amend and re-enact section 273 of the Code of Virginia, in relation to the duties of Superintendent of Public Printing.

No. 104, Senate bill to provide for evidence of the prepayment of State poll taxes by voters transferred from one city or county to another city or county.

No. 223, House bill to authorize the board of supervisors of Fairfax county to lease the old Commonwealth's attorney's office building on the public square in the town of Fairfax.

No. 261, House bill to authorize the Governor of Virginia to lease such rooms and offices as may be necessary for the transaction of the public business by the Governor, Secretary of the Commonwealth, Register of the Land Office, the Public Printer, the Commissioner of Labor, the Clerk of the House of Delegates and Keeper of the Rolls, and any other official having offices in the capitol building, or any of them, and for the storage of public property and records, so far as such rooms or offices may be necessary during the time occupied in the enlargement, renovation and repair of the State capitol building, and appropriating money to pay the rentals thereof.

No. 293, Senate bill to amend and re-enact an act entitled "an act to prescribe the jurisdiction of the several boards of supervisors of the counties of Frederick, Clarke, Warren, Page and Shenandoah, and after the first day of February, 1904, in matters pertaining to county roads, toll roads, bridges, ferries, mills, fences, stock laws and apprentices," approved May 20, 1903, and to fix the times of meeting of the boards of supervisors of said counties."

No. 277, House bill to amend and re-enact section 443 of the Code of Virginia, in relation to making copies of assessments and

disposition of copies, as amended and re-enacted by an act to amend and re-enact chapter 23 of the Code of Virginia in relation to the assessment of lands and lots, approved March 10, 1903, so as to provide additional time for returning assessments in cities having a population of over 50,000 by the last United States census.

No. 238, House bill to authorize the city of Newport News to issue bonds for the payment of the balance of the contract price for the widening of Washington avenue and Twenty-fifth street, in said city, and to repeal all of the acts heretofore attempting to give this authority to said city.

No. 234, House bill to provide for the construction of new permanent roads in Charlotte county, and to authorize the issue and sale of the bonds of the county for that purpose.

No. 279, Senate bill to amend and re-enact section 11 of the Code of Virginia.

The President appointed Mr. MACHEN to fill the vacancy in the Oyster Commission.

A message was received from the House of Delegates, Mr. Thomason, who informed the Senate that that House had adopted the following joint resolution:

Resolved, by the House of Delegates, the Senate concurring, that a committee of three on the part of the Senate, and three on the part of the House, be appointed to inform the Governor that the General Assembly is ready to adjourn sine die, and inquire if he has any communication to make, which was taken up and agreed to. On the motion of Mr. MACHEN, he was ordered to inform the House of Delegates thereof.

The President appointed Messrs. PHILEGAR, SALE and THOMAS as a committee on the part of the Senate to wait on the Governor, who subsequently reported that they had performed the duty assigned them, and that the Governor requested them to state to the General Assembly that he had no further communication to make.

A message was received from the House of Delegates, Mr. Hundley, who informed the Senate that that House was ready, on its part, to adjourn.

On motion of Mr. BARKSDALE, he was ordered to inform the House of Delegates that the Senate was ready, on its part, to adjourn.

Mr. BARKSDALE moved that the Senate do now adjourn, which was agreed to.

The President then announced that the Senate stood adjourned until the second Wednesday in January, 1906, unless called by the President as prescribed by law.

# MEMBERS OF THE SENATE

WHO SERVED DURING THE

*Session Commencing January 13, 1904, and Terminating March 15, 1904.*

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LEUTENANT-GOVERNOR JOSEPH E. WILLARD, PRESIDENT, *ex-officio*, Fairfax.

---

1. Washington, Smyth, and city of Bristol.....J. C. Byars.
2. Scott, Lee, and Wise.....J. C. Noel.
3. Buchanan, Dickenson, Russell, and Tazewell.....J. N. Harman.
4. Roanoke county, Montgomery, and cities of Roanoke and  
Radford .....Archer A. Phlegar.
5. Giles, Bland, Pulaski, and Wythe.....P. F. St. Clair.
6. Carroll, Grayson, and Patrick.....Jno. F. Greear.
7. Craig, Botetourt, Alleghany, and Bath.....Geo. A. Revercomb.
8. Rockingham .....George B. Keezell.
9. Augusta, Highland, and city of Staunton.....J. N. Ople.
10. Shenandoah, Frederick, and city of Winchester.....F. S. Tavenner.
11. Fauquier and Loudoun.....George T. Ford.
12. Clarke, Page, and Warren.....M. J. Fulton.
13. Spotsylvania, Stafford, Louisa, and city of Fredericksburg..G. M. Wallace.
14. Alexandria county, Prince William, Fairfax, and city of  
Alexandria .....L. H. Machen.
15. Culpeper, Madison, Rappahannock, and Orange....George S. Shackelford.
16. Goochland, Powhatan, Chesterfield, and city of Manchester..J. P. Sadler.
17. Albemarle, Greene, and city of Charlottesville .....John S. Chapman.
18. Appomattox, Buckingham, Fluvanna, and Charlotte....Camm Patteson.
19. Amherst and Nelson.....Bland Massie.
20. Campbell and city of Lynchburg.....A. F. Thomas.
21. Halifax.....W. P. Barksdale.
22. Bedford, Rockbridge, and city of Buena Vista....J. Lawrence Campbell.
23. Pittsylvania, Henry, and city of Danville.....W. A. Garrett.
24. Pittsylvania and city of Danville.....Geo. T. Rison.
25. Mecklenburg, and Brunswick.....J. N. Hutcheson.
26. Franklin and Floyd.....S. T. Turner.
27. Greenville, Sussex, Surry, and Prince George.....A. R. Hobbs.
28. Nottoway, Amelia, Lunenburg, Prince Edward, and  
Cumberland .....Wm. Hodges Mann.
29. Dinwiddie and city of Petersburg.....W. B. McIlwaine.
30. Isle of Wight, Southampton, and Nansemond.....William Shands.
31. Norfolk city.....W. W. Sale.
32. Caroline, Hanover, and King William.....Henry T. Wickham.
33. Norfolk county, and city of Portsmouth.....E. F. Cromwell.
34. King George, Richmond, Westmoreland, Lancaster, and  
Northumberland .....C. Harding Walker.
35. Henrico, New Kent, Charles City, James City, and City of  
Williamsburg .....Julian Bryant.
36. Elizabeth City, York, Warwick, and city of Newport News...S. W. Holt.
37. Accomac, Northampton, and Princess Anne.....B. T. Gunter.
38. Richmond city.....

{ Geo. Wayne Anderson.

A. C. Harman.
39. King and Queen, Middlesex, Essex, Gloucester, and  
Mathews .....J. Boyd Sears





SENATE DOC. A.

**Contingent and Incidental Expenses**

**OF**

**SENATE,**

**SESSION 1904,**

**UNDER ACT AND RESOLUTIONS FEBRUARY 8, 1904.**



# Contingent and Incidental Expenses of Senate

## Session 1904.

Under Act and Resolutions February 8, 1904.

y. 9.	To Paid A. A. Meginley for two weeks' services as janitor Senate Com. rooms, ending Feb. 9, 1904 ....	\$ 20 00
	“ Paid Richard Taylor (col.) for two weeks' attendance as janitor of Senate, ending Feb. 9, 1904 ....	9 00
	“ Paid Henry Richards for one months' services as fireman at Capitol, ending February 10, 1904 .....	15 00
	“ Paid W. G. Taylor for water for Senate and House of Delegates, to January 28, 1904 .....	15 00
	“ Paid Remington Typewriter Co. for rent of typewriter No. 7, 25001, for one month, to Feb. 25, 1904,	5 00
	“ Paid The Smith Premier Typewriter Co. for rent of typewriter No. 2, 82117, and table, one month, to February 11, 1904 .....	5 00
	“ Paid The Bell Book and Stationery Co. for bill of stationery, to December 19, 1903 .....	287 55
y. 16.	“ Paid A. B. Clarke & Son Hardware Co. for bill of cutlery of January 13, 1904 .....	82 00
	“ Paid J. E. Henley, Jt. Com., for work ending Feb. 16, 1904 .....	28 00
	“ Paid A. A. Meginley for one week's attendance janitor Senate Com. rooms, ending Feb. 16, 1904....	10 00
	“ Paid Richard Taylor (col.) for one week's attendance as janitor of Senate, ending Feb. 16, 1904..	4 50
	“ Paid J. E. Henley, Jt. Com. Clerk, for four weeks' attendance, to Feb. 9, 1904, and mileage .....	130 20
y. 20.	“ Paid Geo. B. Keezell, chairman, for expenses of Com. on Pub. Ins. and Education, visiting Farmville, Blacksburg and Marion .....	154 75
y. 23.	“ Paid J. E. Henley, Jt. Com. Clerk, for one week's attendance, ending Feb. 23, 1904 .....	28 00
	“ Paid A. A. Meginley for one week's attendance janitor Senate Com. rooms, ending Feb. 23, 1904 ....	10 00
	“ Paid Richard Taylor (col.) for one week's attendance as janitor of Senate, ending Feb. 23, 1904 ....	4 50
	“ Paid one-half of the Pullman Car Co. for use Pullman car Dublin, Richmond to Marion and return with Senate Committee, Feb. 16 to 19, 1904 .....	67 50

- March 1. " Paid W. G. Taylor for water for Senate and House Delegates, to Feb. 29, 1904 .....
- " Paid J. E. Henley for one week's attendance Com. Clerk, ending March 1, 1904 .....
- " Paid A. A. Meginley for one week's attendance for Senate Com. rooms, ending March 1, 1904 .....
- " Paid Richard Taylor (col.) one week's attendance as janitor of Senate, ending March 1, 1904 .....
- March 8. " Paid J. E. Henley for one week's attendance as Com. Clerk, ending March 8, 1904 .....
- " Paid A. A. Meginley for one week's attendance for Senate Com. rooms, ending March 8, 1904 .....
- " Paid Richard Taylor (col.) one week's attendance as janitor of Senate, ending March 8, 1904 .....
- March 9. " Paid The Bell Book and Stationery Co. account full to March 8, 1904 .....
- " Paid J. N. Ople, acting chairman, for expenses Com. on Pub. Ins. and Ed. on trip to Charlottesville, Staunton and Lexington .....
- March 12. " Paid The Pullman Car Co. for one-half of sleeping car from Richmond to Marion and return for Pub. Ins. and Ed. of the House of Delegates .....
- " Paid The Remington Typewriter Co. rent on No. 25001, for one month, from Feb. 25, 1904 .....
- March 15. " Paid Henry Richards for one and 1-5 months' service as fireman at Capitol .....
- " Paid J. E. Henley one week's attendance as Joint Clerk, ending March 15, 1904 .....
- " Paid A. A. Meginley for one week's attendance for Senate Com. rooms, ending March 15, 1904 .....
- " Paid Richard Taylor (col.) one week's attendance as janitor of Senate, ending March 15, 1904 .....
- " Paid W. G. Taylor for water for Senate and House of Delegates, to March 12, 1904 .....
- " Paid The Bell Book and Stationery Co. for book stationery for clerk's office .....
- " Paid Jno. W. Burger for expenses of House of Delegates Committee on trip to Marion, Blacksburg, Farmville, Feb. 12 to 19, 1904 .....
- " Paid Jno. W. Burger expenses of self with House of Delegates Com. visiting various institutions .....
- " Paid Jno. W. Burger for expenses of House of Delegates Committee in visiting Williamsburg, Hampton, March 7, 1904 .....
- " Paid The Smith Premier Typewriter Co. for rent No. 2, 82117, from Feb. 14, 1904, to March 14, 1904 .....
- " Paid Frank B. Watkins for expenses of Senate and House of Delegates (1-2 each) for trip of House of Delegates to Staunton, Charlottesville and Lexington .....

h 15	"	Paid S. D. Gooch, Jr., for 62 pages, at 30c., for enrolling for House of Delegates .....	18 60
	"	Paid R. M. Kent for 65 pages, at 30c., for enrolling for House of Delegates .....	19 50
	"	Paid Miss Viola Minor for 86 pages, at 30c., for enrolling for House of Delegates .....	25 80
	"	Paid W. A. Crenshaw for 183 1-2 pages, at 30c., for enrolling for House of Delegates .....	55 00
			<hr/>
			\$1,710 08









# COMMUNICATION

FROM THE

# Auditor of Public Accounts.

COMMONWEALTH OF VIRGINIA,

OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,

RICHMOND, VA., *February 10, 1904.*

HON. JOSEPH E. WILLARD,

*President of the Senate:*

SIR,—In obedience to a resolution of the Senate, agreed to on the 5th instant, I have the honor to submit herewith the following papers:

First. A statement showing the estimated receipts of the State of Virginia, based upon the laws now in force, for the fiscal year ending September 30, 1904, including receipts from franchise tax and registration fees of corporations, estimated from the best information obtainable, and also including extraordinary receipts, which will not come into the treasury in future years.

Second. A similar statement of estimated receipts of the State of Virginia for the fiscal year ending September 30, 1905.

Third. A statement showing the estimated expenditures of the State of Virginia, based upon the laws now in force, for the fiscal year ending September 30, 1904.

Fourth. A similar statement of the estimated expenditures of the State of Virginia for the fiscal year ending September 30, 1905.

Very respectfully,

MORTON MARYE,

*Auditor of Public Accounts.*



# STATEMENT

ESTIMATED EXPENSES OF THE STATE GOVERNMENT DURING THE FISCAL YEAR ENDING SEPTEMBER 30, 1904, BASED UPON THE LAWS NOW IN FORCE (ACCOMPANIED BY AN ITEMIZED STATEMENT OF THE SALARY ACCOUNT OF OFFICERS AND EMPLOYEES OF THE GOVERNMENT), PREPARED BY THE AUDITOR OF PUBLIC ACCOUNTS, IN OBEDIENCE TO A RESOLUTION OF THE SENATE, ADOPTED FEBRUARY 5, 1904.

Officers and Employees of the Government—Table annexed .....	\$ 164,103 50
Contingent Expenses of Basement Officers .....	3,300 00
Contingent Expenses of Courts—Under the old Constitution these expenses were \$24,000.00....	50,000 00
Public Printing—Average annual cost, \$23,500.00; will cost this year (estimated).....	28,000 00
Marriages—Registration of; Table 2, Report Auditor of Public Accounts .....	400 00
Civil Contingent Fund—Appropriation Act of 1901-2 .....	10,000 00
Civil Prosecutions .....	1,000 00
Board of Health—Yearly Average; Table, 2, Reports of Auditor of Public Accounts.....	3,000 00
Agricultural Department—(Expenses of this department are not placed amongst expenses of government, nor are the receipts of the department from sale of fertilizer tags placed amongst receipts of government, because said expenses of the department are paid out of receipts from sale of fertilizer tags, and will absorb them).	
Virginia Reports—Cost of publishing Reports of the Supreme Court of Appeals.....	4,000 00
Labor Bureau—Salary of Commissioner of Labor, \$1,200; expenses of bureau, \$1,700; Appropriation Act 1902 .....	2,900 00
Military Contingent Fund—To pay military when aiding civil authorities .....	1,000 00
Military Fund—For Equipment of Volunteers; Table No. 41, Report of Auditor of Public Accounts of 1903 .....	13,220 09
Criminal Charges—Including \$24,146.30 to Prison Association and \$10,351.69 to Negro Reformatory; Table 2, Report of Auditor.....	292,223 01

## STATEMENT—Continued.

Crop Pest—For Extermination of; Table 2, Report of Auditor of Public Accounts of 1903.....

Confederate Memorial Associations—For Keeping in Order the Graves of Confederate Soldiers and Sailors; Act March 15, 1902.....

Fuel, Light, and Ice for Capitol, Library Building, and Executive Mansion; Table 2, Report of Auditor of Public Accounts .....

General Assembly—Meets once in two years at estimated cost of \$50,000 under new Constitution. It meets this year .....

Re-Assessment of Land—Assessed once in five years; cost of last assessment, \$72,462.41; (assessment is not made during this fiscal year).

General Account of Revenue—Commissions of Commissioners of Revenue and Examiners of Records; postage and expressage.....

Oyster Fund—

Expenses of Steamers and Sailing Vessels....\$ 19,264 06

Salaries and Expenses of Board of Fisheries.. 3,309 79

Expense of Surveys of Planting Ground..... 80 80

Repairs of Public Buildings .....

Cattle Quarantine—Expenses of; Table 2, Report of Auditor of Public Accounts .....

Eye and Ear Infirmary—Expenses of; Table 2, Report of Auditor of Public Accounts.....

Eleemosynary Institutions—

Central State Hospital—Annuity ..... 105,000 00

Eastern State Hospital—Annuity ..... 75,000 00

Western State Hospital—Annuity ..... 105,000 00

Southwestern State Hospital—Annuity ..... 60,000 00

Support Lunatics in Jail in case of Individuals 7,639 51

Institutions of Learning—

Female Normal School at Farmville—Annuity..\$ 20,000 00

University of Virginia—Annuity ..... 50,000 00

Virginia Military Institute—Annuity..... 25,000 00

Deaf and Blind Institute—Annuity ..... 40,000 00

A. M. & Polytechnic—Annuity and Interest.. 46,750 00

William and Mary College—Annuity ..... 15,000 00

Medical College of Virginia—Annuity ..... 5,000 00

Virginia Normal and Industrial Institute—

Annuity ..... 15,000 00

## STATEMENT—Continued.

**Public Free Schools—**

School Warrants of 1903; Table 35, Auditor's

Report ..... 844,091 95

Special Appropriation—Annual ..... 200,000 00

1,044,091 95**Interest on the Public Debt—**

\$18,047,057 22 Century Bonds at 3 per cent....\$541,411 78

6,329,554 16 Riddleberger Bonds at 3 per  
cent. .... 189,886 622,383,655 86 Bonds held by Institutions of  
Learning at 6 per cent..... 143,019 3582,800 00 Bonds held by Institutions of  
Learning at 4 per cent..... 3,312 00877,629 70**aid to Confederate Soldiers and Sailors and Their****Widows—**

Pensions .....\$300,000 00

Soldiers' Home ..... 35,000 00

335,000 00\$3,563,072 21**Appropriations (Other than for Regular Expenses  
of Government), Payable This Fiscal Year:****General Assembly—Cost of Extra Session Paid**

This Year .....\$ 51,933 8

**Penitentiary—New Building—**

Appropriation for New Building...\$230,000 00

Of which this amount was paid

before October 1. 1903 ..... 32,405 93

197,594 07**Louisiana Purchase Exposition—**

Appropriation for Exhibit .....\$ 50,000 00

Of which this amount was paid last year.... 5,000 00

45,000 00**Louisiana Purchase Exposition—**

Appropriation for State Building ..... 10,000 00

**Westtown Exposition—Appropriation. \$200,000.00;**

of which there can be paid this year..... 50,000 00

**Statue General R. E. Lee—Appropriation, \$10,000.00;**

of which one-third can be paid this year..... 3,333 33

**Statue General J. E. B. Stuart—Appropriation..... 10,000 00****University of Virginia—Appropriation to Enlarge**

Infirmary ..... 31,000 00

**Home of Needy Confederate Women—Appropriation**

..... 5,000 00

## STATEMENT—Continued.

Appropriation of \$2,000.00 to Enforce Law Prohibiting Sale of Adulterated Food—One-half payable this year .....	1,000 00
Expenses of Commissioners to Promote Uniformity of Legislation, \$300.00—One-half payable this year .....	150 00
Secretary of Commonwealth—For Extra Clerical Force to Make List of Charters for Corporation Commission .....	356 00
Appropriation for Fence Around Lee Monument.....	1,000 00
Repairs to Capitol—	
Appropriation .....	\$100,000 00
Of which there was paid .....	2,913 15
	<hr/> 97,086 85
Appropriation to Defend Suits Involving Validity of State Constitution, \$10,000.00; of which there was paid last fiscal year \$2,044.90. There will probably be paid this year.....	2,955 10
	<hr/> 2,955 10

## STATEMENT.

SALARIES OF OFFICERS AND EMPLOYEES OF GOVERNMENT UNDER  
NEW CONSTITUTION—ESTIMATED.

Governor .....	\$ 5,000 00
Secretary to the Governor .....	1,200 00
Assistant-Secretary and Messenger .....	900 00
Attorney-General .....	2,500 00
Clerk to Attorney-General .....	900 00
Auditor of Public Accounts .....	4,000 00
Clerks in office of Auditor of Public Accounts, including Pension Clerk .....	12,650 00
Second Auditor .....	1,700 00
Clerks in office of Second Auditor .....	3,280 00
Treasurer .....	2,000 00
Clerks in office of Treasurer .....	5,000 00
Secretary of the Commonwealth .....	2,800 00
Clerks in office of the Secretary of the Commonwealth .....	2,000 00
Librarian .....	1,500 00
Register of the Land Office .....	1,800 00
Receiving and Forwarding Clerk and Messenger .....	1,100 00
Monitor of Capitol .....	480 00
Monitor of galleries of Capitol .....	360 00
Conductor elevator at Capitol .....	600 00
Fireman elevator at Capitol .....	600 00
Police Policemen at Capitol at \$780.00 .....	4,680 00
Night Watchman at Library Building .....	720 00
Monitor Library offices .....	360 00
Monitor and Doorkeeper Library .....	360 00
Night Watchman Court of Appeals .....	480 00
Conductor elevator Library Building .....	600 00
Engineer Library Building .....	900 00
Fireman Library Building .....	600 00
Superintendent Public Instruction .....	2,000 00
Superintendent of Public Printing .....	1,500 00
Clerk to Superintendent of Public Printing .....	600 00
Door at Executive Mansion .....	600 00
Chief Judge of Court of Appeals, President .....	\$ 4,200 00
Our Judges of Court of Appeals at \$4,000.00 .....	16,000 00
	<hr/>
	\$ 20,200 00
Photographer Court of Appeals .....	\$ 1,200 00
Reporter Court of Appeals .....	1,200 00
Clerk Court of Appeals, Richmond.....	500 00



## STATEMENT—Continued.

Clerk Court of Appeals, Staunton.....	320 00	
Clerk Court of Appeals, Wytheville.....	320 00	
Traveling expenses .....	600 00	
		\$ 4,140
Twenty-three Circuit Judges at \$2,500.00—\$57,- 500 00—half paid by the State .....		\$ 28,750
One Circuit Judge at \$3,500.00, of which the State pays .....		2,043
One Judge Chancery Court, Richmond, \$3,500.00— half paid by the State .....		1,750
One Judge Law and Equity Court, Richmond, \$3,- 500.00—half paid by State .....		1,750
One Judge Law and Chancery Court, Norfolk, \$3,- 500.00—half paid by State .....		1,750
Clerk of Circuit Court, Richmond.....		400
Mileage of Circuit Judges .....		5 000
One Judge Hustings Court of Richmond, \$3,500— half paid by State .....		\$ 1,750
One City Judge of Norfolk, \$3,500—half paid by State .....		1,750
One City Judge of Petersburg, \$2,500—half paid by State .....		1,250
One City Judge of Lynchburg, \$2,500—half paid by State .....		1,250
One City Judge of Alexandria, \$2,000—half paid by State .....		1,000
One City Judge of Portsmouth, \$2,000—half paid by State .....		1,000
One City Judge of Roanoke, \$2,500—half paid by State .....		1,250
One City Judge of Danville, \$2,500—half paid by State .....		1,250
One City Judge of Manchester, \$2,000—half paid by State .....		1,000
One City Judge of Newport News, \$2,500—half paid by State .....		1,250
State Corporation Commission, three members at \$4,000 .....		\$ 12,000
Clerk to Commission .....		2,000
Assistant Clerk .....		1,500
Stenographer .....		1,200
Balliff .....		900
Incidental and contingent expenses .....		3,200

# STATEMENT.

ESTIMATED RECEIPTS OF THE STATE OF VIRGINIA, BASED UPON THE LAWS NOW IN FORCE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1904. PREPARED BY THE AUDITOR OF PUBLIC ACCOUNTS, IN OBEDIENCE TO A RESOLUTION OF THE SENATE, ADOPTED FEBRUARY 5, 1904:

## Real Estate—

Taxes for Support of Government and Schools and for Pensions—Assessed.....	\$1,178,852 48	
Less Estimated Improper Assessments.....	17,500 00	
		\$1,161,352 48

## Personal Property—

Taxes for support of Government and Schools and Pensions—Assessed.....	418,417 05	
Less Estimated Insolvent and Erroneous Assessments .....	31,177 88	
		382,239 17

## Capitation Tax—

That Portion of This Tax, Assessed, Which is Not Returned to Cities and Counties..	389,891 00	
Less Estimated Insolvents .....	126,256 00	
		263,635 00

Income Tax—Table 38, Report of Auditor of Public Accounts for 1903 .....		70,700 61
Licenses, Other Than Liquor—Table 39, Report of Auditor of Public Accounts for 1903.....		484,557 66
Licenses—Liquor—Table 39, Report of Auditor of Public Accounts for 1903.....		415,877 12
Railroad Companies—Assessment of Taxes of 1903 by Corporation Commission.....		583,427 99
Teamship Companies—Assessment of Taxes of 1903 by Corporation Commission.....		4,315 98
Express Companies—Assessment of Taxes of 1903 by Corporation Commission.....		5,112 64
Telegraph and Telephone Companies—Assessment of Taxes of 1903 by Corporation Commission .....		24,928 76
Hyster Tax—Table 18, Report of Auditor of Public Accounts for 1903.....		60,217 12
Printing Machine Companies—Table 16, Report of Auditor of Public Accounts for 1903.....		2,640 00

## STATEMENT—Continued.

Insurance Companies—Table 11, Report of Auditor  
of Public Accounts for 1903.....

Banks—Table 5, Report of Auditor of Public Ac-  
counts for 1903.....

Secretary of the Commonwealth—Table 1, Report  
of Auditor of Public Accounts for 1903...

## Charter Fees—

## Average of last five years—

1899 .....	27,362 25
1900 .....	66,361 75
1901 .....	40,699 25
1902 .....	62,788 25
1903 .....	39,351 25

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5)236,562 75

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47,312 55

## Law Process—

Taxes on Suits, Deeds, &c.—Average of Last  
Five Years—

1899 .....	110,811 63
1900 .....	126,010 73
1901 .....	99,119 30
1902 .....	168,017 32
1903 .....	136,390 60

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5)640,349 58

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128,069 91

Revenue—Penalty of 5 per cent. on Taxes Not Paid  
Before December 1st—Report Auditor  
Public Accounts, 1903 .....

Interest—Interest on State's Money in State De-  
positories .....

Fertilizer Fees—(These fees are not placed  
amongst estimated receipts, nor are the ex-  
penses of the Agricultural Department placed  
amongst the estimated expenditures—because  
by statute said expenses are paid out of said  
receipts and will absorb them).

Palace Car Companies—Table No. 1. Report of  
Auditor Public Accounts for 1902.....

Penitentiary—Excess of Receipts Over Expendi-  
tures—Tables 1 and 2, Auditor's Report  
for 1903 .....

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154,588 47

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152,026 38

## STATEMENT—Continued.

## Collateral Inheritance Tax—

## Average of Last Five Years—

1899 .....	67,156 48	30,652 92
1900 .....	21,934 11	
1901 .....	28,295 68	
1902 .....	16,266 48	
1903 .....	19,611 94	
	<u>5)153,264 59</u>	
	30,652 92	

## Costs—Costs Recovered; Table 1, Report of Auditor of Pub-

lic Accounts for 1903 ..... 3,652 72

## Taxes—Tax on; Table 1, Report of Auditor of Public Accounts

for 1903 ..... 10,866 32

## Dividend on Stock of Richmond, Fredericksburg and Potomac

Railroad Company ..... 37,432 00

\$3,945,600 99

Deduct Commissions of County and City Treasurers..... 106,000 00

\$3,839,600 99

## Extraordinary Receipts and Receipts from Franchise

## Tax and Registration Fees—

## Taxes of Former Years on Bank Stock Which

Will Probably be Collected This Year, as

the Result of the Decision of the Supreme

Court of the United States in Relation

Thereto ..... 92,135 76

## Fees on Charters of Foreign Insurance Com-

panies, Which Will be Paid This Year,

the Law Having Heretofore Exempted

Such Companies from Payment of Such

Tax ..... 25,000 00

## Registration Fees and Franchise Tax, Which

the State Corporation Commission Esti-

mates Will This Year (1904) Aggregate

the Sum of..... 120,000 00

237,135 76

\$4,076,736 75

It is proper to state that the dividend on the stock of the Richmond, Fredericksburg and Potomac Railroad Company, amounting to \$37,432.00, which is included in above receipts, belongs to the Sinking Fund, and cannot be used to defray expenses of the State.

## STATEMENT.

**ESTIMATED EXPENSES OF THE STATE GOVERNMENT DURING THE FISCAL YEAR ENDING SEPTEMBER 30, 1905, BASED UPON THE LAWS NOW IN FORCE (ACCOMPANIED BY AN ITEMIZED STATEMENT OF THE SALARY ACCOUNT OF OFFICERS AND EMPLOYEES OF THE GOVERNMENT), PREPARED BY THE AUDITOR OF PUBLIC ACCOUNTS, IN OBEEDIENCE TO A RESOLUTION OF THE SENATE, ADOPTED FEBRUARY 5, 1904.**

Officers and Employees of the Government—Table annexed .....	\$ 184,108 50
Contingent Expenses of Basement Officers .....	3,300 00
Contingent Expenses of Courts—Under the old Constitution these expenses were \$24,000.00....	50,000 00
Public Printing—Average annual expenses, \$23,-500.00; estimate cost this year will be.....	19,000 00
Marriages—Registration of; Table 2, Report Auditor of Public Accounts .....	400 00
Civil Contingent Fund—Appropriation Act of 1901-2 .....	10,000 00
Civil Prosecutions .....	1,000 00
Board of Health—Yearly Average; Table, 2, Reports of Auditor of Public Accounts.....	3,000 00
Agricultural Department—(Expenses of this department are not placed amongst expenses of government, nor are the receipts of the department from sale of fertilizer tags placed amongst receipts of government, because said expenses of the department are paid out of receipts from sale of fertilizer tags, and will absorb them).	
Virginia Reports—Cost of publishing Reports of the Supreme Court of Appeals.....	4,000 00
Labor Bureau—Salary of Commissioner of Labor, \$1,200; expenses of bureau, \$1,700; Appropriation Act 1902 .....	2,900 00
Military Fund—For Equipment of Volunteers, &c.; Table No. 41, Report of Auditor of Public Accounts .....	13,220 00
Military Contingent Fund—To pay military when aiding civil authorities .....	1,000 00
Criminal Charges—Including \$24,146.30 to Prison Association and \$10,351.69 to Negro Reformatory; Table 2, Report of Auditor.....	292,223 01

## STATEMENT—Continued.

Crop Pest—For Extermination of; Table 2, Report of Auditor of Public Accounts.....	5,009 81
Confederate Memorial Associations—For Keeping in Order the Graves of Confederate Soldiers and Sailors; Act March 15, 1902.....	1,450 00
Fuel, Light, and Ice for Capitol, Library Building, and Executive Mansion; Table 2, Report of Auditor of Public Accounts .....	5,000 00
General Assembly—Meets once in two years. Does not meet this year.	
Re-Assessment of Land—Assessed once in five years; cost of last assessment, \$72,462.41. Will be made this year.....	72,462 41
General Account of Revenue—Commissions of Commissioners of Revenue and Examiners of Records—Postage and Expressage.....	75,000 00
Oyster Fund—	
Expenses of Steamers and Sailing Vessels...\$	19,264 05
Salaries and Expenses of Board of Fisheries..	3,309 79
Expense of Surveys of Planting Ground.....	30 80
	<hr/>
	22,604 64
Repairs of Public Buildings .....	2,500 00
Cattle Quarantine—Expenses of; Table 2, Report of Auditor of Public Accounts .....	750 00
Eye and Ear Infirmary—Expenses of; Table 2, Report of Auditor of Public Accounts.....	1,500 00
Eleemosynary Institutions—	
Central State Hospital—Annuity .....	105,000 00
Eastern State Hospital—Annuity .....	75,000 00
Western State Hospital—Annuity .....	105,000 00
Southwestern State Hospital—Annuity .....	60,000 00
Support Lunatics in Jail in case of Individuals .....	7,639 51
	<hr/>
	352,639 51
Institutions of Learning—	
Female Normal School at Farmville—Annuity..\$	20,000 00
University of Virginia—Annuity .....	50,000 00
Virginia Military Institute—Annuity .....	25,000 00
Deaf and Blind Institute—Annuity .....	40,000 00
A. M. & Polytechnic—Annuity and Interest...	46,750 00
William and Mary College—Annuity .....	15,000 00
Medical College of Virginia—Annuity .....	5,000 00
Virginia Normal and Industrial Institute—Annuity .....	15,000 00
	<hr/>
	216,750 00
Public Free Schools—	
School Warrants of 1903; Table 35, Auditor's Report .....	844,091 95
Special Appropriation—Annual .....	200,000 00
	<hr/>
	1,044,091 95

Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and two days deducted).

Davis, Charles H. Convicted in the county court of Appomattox county, July, 1902, for housebreaking and larceny, and sentenced to eight years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (forty-nine days deducted).

Davis, Charlotte. Convicted in the Hustings court of the city of Richmond, December, 1902, for larceny from person, and sentenced to two years in the penitentiary. Commuted March 10, 1903. In consideration of the physical condition and advanced age of the prisoner, and the recommendation of the trial Judge, the Commonwealth's attorney, and the jail physician, the sentence of two years in the penitentiary is commuted to one year in jail.

Dawson, John Henry. Convicted in the corporation court of the city of Norfolk, February 1902, for grand larceny, and sentenced to five years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (ninety-two days deducted).

Dodson, Randall. Convicted in the corporation court of the city of Norfolk, August, 1902, for felonious assault, and sentenced to five years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Drummond, John. Convicted in the county court of Brunswick county, September, 1902, for murder second degree, and sentenced to five years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-four days deducted).

Doane, Edward. Convicted in the county court of Essex county, April, 1901, for breaking into vessels, and sentenced to two years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (ten days deducted).

Dallas, George. Convicted in the county court of Pittsylvania county, January, 1903, for felony, and sentenced to three years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-three days deducted).

Dodson, Robt. Convicted in the hustings court of the city of Petersburg, January 1903, for housebreaking, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-two days deducted).

Dixon, Peter. Convicted in the county court of Frederick county, April, 1903, for felony, and sentenced to one and one-half years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-three days deducted).

**Evans, Major.** Convicted in the corporation court of the city of Portsmouth, May, 1902, for housebreaking, and sentenced to three years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and eighty-five days deducted).

**Eaton, Whit.** Convicted in the county court of Rockingham county, January, 1903, for horse stealing, and sentenced to three years in the penitentiary. Commuted March 28, 1903. The trial judge and Commonwealth's attorney are of the opinion that the mental condition of this man is so very weak and unsound that the punishment is excessive. And these two officials, together with two very reputable physicians and a large number of citizens, urge commutation to confinement to one year in jail, which I accordingly direct.

**Evans, Willie.** Convicted in the county court of Nottoway county, September, 1902, for housebreaking, and sentenced to ten years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (ten days deducted).

**Elliot, Augustus.** Convicted in the corporation court of the city of Portsmouth, November, 1902, for housebreaking, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and nineteen days deducted).

**Epps, Mary.** Convicted in the corporation court of Newport News, January, 1903, for housebreaking, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

**Echols, Charlie.** Convicted in the corporation court of the city of Bristol, April, 1903, for voluntary manslaughter, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eighteen days deducted).

**Falin, Ill.** Convicted in the county court of Scott county, May, 1902, for unlawful shooting, and sentenced to one year in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and twenty-three days deducted).

**France, Ed.** Convicted in the county court of Wise county, July, 1902, for murder second degree, and sentenced to fourteen years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and nine days deducted).

**Falkon, John.** Convicted in the corporation court of the city of Portsmouth, May, 1902, for housebreaking, and sentenced to three years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and eighty-five days deducted).



Foy, Jesse. Convicted in the county court of Montgomery county, July, 1902, for robbery, and sentenced to ten years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-six days deducted).

Fisher, Syrien. Convicted in the corporation court of Norfolk city, November, 1902, for highway robbery, and sentenced to sixteen years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Follenstine, J. O. Convicted in the corporation court of the city of Bristol. April, 1903, for forgery, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eighteen days deducted).

Furrow, Lee. Convicted in the corporation court of the city of Radford, February, 1903, for murder second degree, and sentenced to four years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-one days deducted).

Ford, Frank. Convicted in the county court of Spotsylvania county, February, 1903, for horse stealing, and sentenced to twelve years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-two days deducted).

Farmer, Winton. Convicted in the county court of Tazewell county, February, 1903, for malicious shooting, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Glenn, John. Convicted in the hustings court of the city of Roanoke, June, 1902, for housebreaking, and sentenced to three years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Grandy, Sissie. Convicted in the corporation court of the city of Norfolk, August, 1902, for felonious assault, and sentenced to three years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Gains, Ed. Convicted in the county court of Wise county, August, 1902, for murder second degree, and sentenced to ten years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and nine days deducted).

Goodwin, Nat. Convicted in the corporation court of the city of Newport News, September, 1902, for cattle stealing, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (eighty days deducted).

**Gray, Francis.** Convicted in the county court of Scott county, November, 1902, for murder second degree, and sentenced to ten years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifteen days deducted).

**Gardner, Lewis.** Convicted in corporation court of Norfolk city, November, 1902, for malicious assault, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

**Gary, Moses.** Convicted in the corporation court of the city of Norfolk, January, 1903, for burglary and larceny, and sentenced to two years in the penitentiary. Commuted July 15, 1903, by reason of detention in jail on account of smallpox quarantine (forty-five days deducted).

**Gibson, George.** Convicted in the hustings court of the city of Richmond, December, 1902, for malicious assault and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-six days deducted).

**Gibbs, Nannie.** Convicted in the hustings court of the city of Richmond, January, 1903, for burglary, and sentenced to five years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-two days deducted).

**Good, Robt.** Convicted in the county court of Pittsylvania county, January, 1903, for malicious shooting, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-three days deducted).

**Garrett, Walter.** Convicted in the county court of Norfolk county, January, 1903, for breaking in railroad car and sentenced to seven years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-eight days deducted).

**Grant, Lewis.** Convicted in the hustings court of the city of Richmond, February, 1903, for murder second degree, and sentenced to fifteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

**Green, Spott.** Convicted in the hustings court of the city of Richmond, February, 1903, for robbery, and sentenced to eight years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

**Gray, Andy.** Convicted in the county court of Washington county, February, 1903, for housebreaking, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-eight days deducted).

**Hairston, Jno.** Convicted in the hustings court of the city of Roanoke, June, 1902, for housebreaking, and sentenced to three years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

**Hairston, Jack.** Convicted in the county court of Henry, July, 1902, for unlawful shooting, and sentenced to one year in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-nine days deducted)

**Hairston, Wash.** Convicted in the county court of Montgomery county, July, 1902, for attempted murder, and sentenced to fifteen years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-six days deducted).

**Hays, Tom.** Convicted in the county court of Henry county, August, 1903, for housebreaking, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (eight days deducted).

**Hank, Stuart.** Convicted in the county court of Giles county, August, 1902, for murder second degree, and sentenced to eighteen years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (nineteen days deducted).

**Hendricks, Thos. H.** Convicted in the corporation court of the city of Bristol, September, 1902, for forgery, and sentenced to ten years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

**Hudgins, Joe.** Convicted in the corporation court of the city of Bristol, October, 1902, for horse stealing and malicious cutting, and sentenced to eight years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-eight days deducted).

**Harrison, Percy.** Convicted in the corporation court of the city of Norfolk, November, 1902, for malicious cutting, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

**Hudson, Ferdinand.** Convicted in the corporation court of the city of Norfolk, November, 1902, for grand larceny, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

**Hill, James W.** Convicted in the county court of Isle of Wight county, November, 1902, for housebreaking and larceny, and sentenced to four years

in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-one days deducted).

Holleman, W. G. D. Convicted in the county court of Isle of Wight county, November, 1902, for assault with intent to kill, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-one days deducted).

Hudgins, John. Convicted in the county court of Warwick county, October, 1902, for maiming, and sentenced to one year in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-nine days deducted).

Harris, David. Convicted in the corporation court of Norfolk, January, 1903, for burglary and robbery, and sentenced to twenty years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-five days deducted).

Hopkins, Robt. Convicted in the county court of Alleghany county, January, 1903, for rape, and sentenced to ten years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (ninety-one days deducted).

Hubbard, Henry. Convicted in the county court of Pittsylvania county, January, 1903, for murder second degree, and sentenced to fifteen years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-three days deducted).

Howard, Andrew. Convicted in the county court of Albemarle county, June, 1899, for malicious assault, and sentenced to eleven years in the penitentiary. Commuted September 16, 1903. The Commonwealth's attorney, the trial judge, and the leading citizens of the community, in which the crime was committed, are of opinion that the sentence is excessive and should be commuted to five years imprisonment. I therefore direct such commutation.

Haley, Hayes. Convicted in the county court of Henry county, September, 1902, for murder second degree, and sentenced to eight years in the penitentiary. Commuted September 17, 1903. The trial judge and many of the best citizens of the community in which the crime was committed think the verdict excessive and recommend a pardon, but upon full consideration of the case, I think the ends of justice will be subserved by a commutation of the sentence to two years, which I direct.

Henderson, Ed. Convicted in the county court of Norfolk county, January, 1903, for housebreaking, and sentenced to six years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-eight days deducted).

Hilton, Sidney. Convicted in the corporation court of the city of Man-

chester, December, 1902, for murder second degree, and sentenced to eighteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-two days deducted).

Henry, Columbus. Convicted in the county court of Fauquier county, January, 1903, for housebreaking and larceny, and sentenced to ten years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

Hundley, J. T. Convicted in the county court of Pittsylvania county, March, 1903, for voluntary manslaughter, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (sixteen days deducted).

Holmes, P. W. Convicted in the county court of Prince George county, February, 1903, for forgery, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-nine days deducted).

Hairston, Ed. Convicted in the corporation court of the city of Roanoke, February, 1903, for murder second degree and sentenced to ten years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Hamlin, Larry H. Convicted in the county court of Northampton county, February, 1903, for voluntary manslaughter and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-five days deducted).

Hutcherson, Emanuel. Convicted in the county court of Mecklenburg county, February, 1903, for forgery, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty days deducted).

Hampton, James. Convicted in the county court of Pittsylvania county, February, 1903, for murder second degree and sentenced to eighteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-one days deducted).

Honaker, Isaac. Convicted in the county court of Russell county, December, 1902, for murder, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eighty-two days deducted).

Hogan, Raleigh. Convicted in the county court of Botetourt, March, 1903, for shooting into railroad car, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (ten days deducted).

Henderson, John. Convicted in the corporation court of the city of Roanoke, February, 1903, for unlawful assault, and sentenced to one and one-quarter years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Hampton, Tony. Convicted in the corporation court of the city of Danville, March, 1903, for grand larceny, and sentenced to one year in the penitentiary. Commuted October 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty days deducted).

Jamison, John. Convicted in the county court of Lee county, May, 1902, for housebreaking, and sentenced to four years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Johnson, William. Convicted in the county court of Roanoke county, July, 1902, for horse stealing, and sentenced to seven years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (ten days deducted).

Johnson, Mary Lee. Convicted in the corporation court of the city of Newport News, June, 1902, for stealing from the person, and sentenced to one year in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and seventy-six days deducted).

Johnson, Joe. Convicted in the corporation court of the city of Norfolk, August, 1902, for attempted murder, and sentenced to three years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Johnson, Henry. Convicted in the corporation court of Charlottesville, August, 1902, for malicious shooting, and sentenced to one and one-half years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

James, John. Convicted in the corporation court of the city of Newport News, September, 1902, for horse stealing, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (eighty days deducted).

Johnson, Thos. H. Convicted in the county court of Warwick county, July, 1899, for malicious maiming, and sentenced to ten years in the penitentiary. Commuted July 3, 1903. In view of the recommendation of the judge, Commonwealth's attorney, clerk, and other citizens of Warwick county, and the condition of the convict's health, his term is commuted to five years.

Johnson, Edward. Convicted in the corporation court of the city of Norfolk, November, 1902, for grand larceny, and sentenced to seven years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Johnson, Mattie. Convicted in the corporation court of the city of Norfolk, November, 1902, for grand larceny, and sentenced to three years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Jordon, Samuel. Convicted in the county court of Isle of Wight county, November, 1902, for murder second degree, and sentenced to eighteen years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-one days deducted).

Johnson, Wm. J. Convicted in the corporation court of the city of Norfolk, November, 1902, for malicious shooting, and sentenced to one year in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Johnson, Charlie. Convicted in the corporation court of the city of Roanoke, January, 1903, for forgery, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (eighty days deducted).

Johnson, Alonza. Convicted in the corporation court of the city of Norfolk, January, 1903, for house-entering and larceny, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-five days deducted).

Johnson, Leonard. Convicted in the county court of Pittsylvania county, January, 1903, for felony, and sentenced to three years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-three days deducted).

Jones, General. Convicted in the county court of Norfolk county, January, 1903, for breaking in railroad car, and sentenced to seven years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-eight days deducted).

Jones, Isaac. Convicted in the county court of Page county, January, 1903, for cattle stealing, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eighty-one days deducted).

Johnson, Eliza. Convicted in the corporation court of Charlottesville, January, 1903, for burglary, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Justice, Arch. Convicted in the county court of Buchanan county, March, 1903, for manslaughter, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

Johnson, Belle. Convicted in the county court of Elizabeth City county, March, 1903, for housebreaking and larceny, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-five days deducted).

Jefferson, Joseph. Convicted in the hustings court of the city of Richmond, February, 1903, for housebreaking, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

Johnson, Eddie. Convicted in the hustings court of the city of Richmond, February, 1903, for malicious assault, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

Jordan, Pdel. Convicted in the hustings court of the city of Richmond, January, 1897, for burglary, and sentenced to ten years in the penitentiary. Commuted December 18, 1903. In view of the recommendation of the commonwealth's attorney and the board of directors of the penitentiary, the sentence of the convict is commuted to seven years.

Kestner, John P. Convicted in the county court of Washington county, May, 1902, for housebreaking, and sentenced to two years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and fifty-four days deducted).

Kemper, John. Convicted in the county court of Wise county, February, 1903, for forgery, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-seven days deducted).

Kenny, Ed. Convicted in the county court of Botetourt county, August, 1903, for house-entering and larceny, and sentenced to one year in the penitentiary. Commuted October 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-two days deducted).

Lewis, Monroe. Convicted in the county court of Elizabeth City county, April, 1902, for murder, and sentenced to eighteen years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (two hundred and forty-six days deducted).

Lewis, Chas. R. Convicted in the county court of Northumberland county, March, 1900, for malicious burning and attempt at poison, and sentenced to fifteen years in the penitentiary. Commuted July 9, 1903.



In the matter of Charles R. Lewis, who was sentenced to the penitentiary for fifteen years, and has served three years, three months and some days, it appears that a guard at the penitentiary was assaulted by one Craig, a convict, who succeeded in securing a pistol from the guard and would, perhaps, have killed him but for the intervention of the said Lewis, who was quite seriously wounded in performing this very meritorious service.

A full pardon for such service would be granted but for the fact that the evidence at the trial of Lewis clearly showed him to be a man of abandoned and desperate character, and I am unable for the mere sake of rewarding commendable conduct to turn this man loose upon the community, after having served but a small portion of his term, in recognition of the service aforesaid. I therefore direct that three years be deducted from the original term of his sentence.

Lewis, Percy. Convicted in the county court of King William county, November, 1902, for grand larceny, and sentenced to one year in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

Langley, W. H. Convicted in the corporation court of the city of Norfolk, November, 1902, for malicious cutting, and sentenced to two years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-nine days deducted).

Lyons, Sanford. Convicted in the corporation court of the city of Alexandria, January 1903, for malicious shooting, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-six days deducted).

Lewis, Joseph. Convicted in the county court of Frederick county, April, 1903, for felony, and sentenced to ten years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-three days deducted).

Lassiter, George. Convicted in the county court of Chesterfield county, April 1903, for breaking in railroad car and malicious assault, and sentenced to seven years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (ten days deducted).

Lee, Nelson. Convicted in the county court of Amherst county, February, 1903, for burglary, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty days deducted).

Millis, Charles. Convicted in the county court of Scott county, July 1902, for attempt at rape, and sentenced to ten years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-one days deducted).

Mason, James. Convicted in the county court of Sussex county, August, 1902, for housebreaking, and sentenced to five years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of small-pox quarantine (one hundred and twenty-six days deducted).

Moore, William. Convicted in the county court of Nansemond county, August, 1902, for housebreaking, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

Manley, Chas. E. Convicted in the county court of Bedford county, August 1902, for entering railroad car, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of small-pox quarantine (ninety days deducted).

Moore, George. Convicted in the hustings court of the city of Richmond, January, 1903, for housebreaking, and sentenced to six years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-two days deducted).

Murray, Robert. Convicted in the county court of Rockingham county, January, 1903, for rape, and sentenced to eighteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and thirty-one days deducted).

Mullins, Bob. Convicted in the county court of Wise county, March, 1903, for murder second degree, and sentenced to eighteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Martin, Lee. Convicted in the corporation court of Roanoke city, February, 1903, for unlawful assault, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Mason, James. Convicted in the county court of Prince George county, November, 1896, for murder second degree, and sentenced to eighteen years in the penitentiary. Commuted December 24, 1903. In view of the strong endorsement of the judge that this man should either have a direct pardon or a commutation to seven years, I am of opinion that the ends of justice would best be met by a commutation to nine years, which is hereby directed.

McQuinn, Joseph. Convicted in the county court of Montgomery county, July, 1902, for grand larceny, and sentenced to two years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-six days deducted).

McInteer, R. L. Convicted in the county court of Prince William county, February, 1903, for malicious shooting, and sentenced to three years in the

penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

Nowlan, Abram. Convicted in the county court of Henry county, August, 1902, for forgery, and sentenced to two years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (eight days deducted).

Nicholson, Sandy. Convicted in the county court of Page county, March, 1903, for housebreaking and larceny, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

Nicholson, Jack. Convicted in the county court of Page county, March, 1903, for housebreaking and larceny, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

Owen, Moses. Convicted in the hustings court of Richmond, October 1896, for housebreaking and larceny, and sentenced to five years, third conviction making life sentence, in the penitentiary. Commuted July 24, 1903. This man's commutation is recommended by Judge Witt and Commonwealth's Attorney Richardson upon grounds of humanity. This application, in my opinion, is meritorious, and I therefore direct imprisonment commuted to ten years from October 13, 1896.

O'Hare, G. W. Convicted in the county court of Sussex county, January, 1903, for malicious shooting, and sentenced to ten years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-eight days deducted).

Price, Will. Convicted in the county court of Wise county, July, 1902, for grand larceny, and sentenced to one year in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and nine days deducted).

Page, Benjamin. Convicted in the county court of Elizabeth City county, April, 1902, for unlawful shooting, and sentenced to one year in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (two hundred and forty-six days deducted).

Pease, Frank. Convicted in the corporation court of the city of Norfolk, November, 1902, for malicious shooting, and sentenced to ten years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-nine days deducted).

Preston, James. Convicted in the county court of Albemarle county, January, 1903, for malicious shooting, and sentenced to three years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-eight days deducted).

Patilla, Grant. Convicted in the corporation court of the city of Newport News, January, 1903, for house-entering and larceny, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Proctor, Cleveland. Convicted in the corporation court of the city of Charlottesville, January, 1903, for horse stealing, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Powers, Grenade. Convicted in the county court of Wise county, February, 1903, for horse stealing, and sentenced to three years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty days deducted).

Ross, James. Convicted in the county court of Greenville county, May, 1902, for attempt murder, and sentenced to three years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-one days deducted).

Randolph, William. Convicted in the county court of Alleghany county, July, 1902, for car breaking, and sentenced to two years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-three days deducted).

Robinson, Cornelius. Convicted in the corporation court of Newport News, March, 1902, for malicious assault, and sentenced to four years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (two hundred and fifty-nine days deducted).

Russell, Ben. Convicted in the county court of Pittsylvania county, August, 1902, for felony, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and seven days deducted).

Riddick, Peter. Convicted in the county court of Southampton, August, 1902, for cattle stealing, and sentenced to one year in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (ninety-nine days deducted).

Robinson, William. Convicted in the corporation court of Lynchburg, July, 1892, for murder first degree, and sentenced to life imprisonment in the penitentiary. Commuted May 27, 1903. This convict is serving a life sentence for murder. The eminent gentlemen, who was the trial judge, thinks he ends of justice will be met by a determinate sentence of eighteen years a full consideration of the case, and in view of the exemplary record of the man, I direct a commutation to eighteen years be made.

Rand, J. W. Convicted in the corporation court of Norfolk city, November, 1902, for grand larceny, and sentenced to two years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-five days deducted).

Rose, John. Convicted in the county court of Bedford county, March, 1903, for burglary and larceny, and sentenced to twelve years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-seven days deducted).

Smoot, Will. Convicted in the county court of Tazewell county, May, 1902, for housebreaking, and sentenced to two years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (ninety-nine days deducted).

Scutchings, James. Convicted in the corporation court of the city of Norfolk, May, 1902, for housebreaking, and sentenced to two years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and two days deducted).

Smith, Wm. Henry. Convicted in the corporation court of the city of Norfolk, May, 1902, for housebreaking, and sentenced to two years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and two days deducted).

Smith, Robert. Convicted in the county court of Norfolk county, May, 1902, for attempt at rape, and sentenced to ten years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and eighty-three days deducted).

Solomon, Richard. Convicted in the corporation court of the city of Norfolk, August, 1902, for felonious assault, and sentenced to ten years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Slemp, Joe. Convicted in the county court of Wise county, July, 1902, for housebreaking, and sentenced to two years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and nine days deducted).

Seaborn, Berry. Convicted in the county court of Sussex county, August, 1902, for housebreaking and larceny, and sentenced to five years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and seventy-two days deducted).

Snydor, William. Convicted in the hustings court of the city of Richmond, January, 1903, for grand larceny, and sentenced to five years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-two days deducted).

**Sawyer, Rossie.** Convicted in the county court of Princess Anne county, January, 1903, for housebreaking, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-four days deducted).

**Schaffer, John.** Convicted in the county court of Alleghany county, January, 1903, for housebreaking, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-five days deducted).

**Smith, James.** Convicted in the corporation court of the city of Newport News, January, 1903, for housebreaking and larceny, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

**Smith, Wm. Henry.** Convicted in the county court of Fauquier county, January, 1903, for malicious cutting, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

**Smith, Jno.** Convicted in the county court of Northampton county, March, 1903, for house-entering and larceny, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

**Stith, Alexander.** Convicted in the county court of Southampton county, February, 1903, for cattle stealing, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-five days deducted).

**Stith, William.** Convicted in the county court of Southampton county, February, 1903, for cattle stealing, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-five days deducted).

**Snead, Silas.** Convicted in the county court of Amherst county, February, 1903, for murder second degree, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty days deducted).

**Sharp, James.** Convicted in the hustings court of the city of Richmond, February, 1903, for housebreaking, and sentenced to five years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (eleven days deducted).

**Steele, Robert.** Convicted in the county court of Wise county, February, 1903, for murder second degree, and sentenced to fifteen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-seven days deducted).

Thompson, Andrew. Convicted in the county court of Orange county, May, 1902, voluntary manslaughter, and sentenced to five years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-eight days deducted).

Turman, Floyd. Convicted in the county court of Carroll county, May, 1902, felony, and sentenced to two years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (fifteen days deducted).

Thomas, Charlie. Convicted in the hustings court of Roanoke city, April, 1902, for robbery, and sentenced to five years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Tucker, William. Convicted in the county court of Elizabeth City county, April, 1902, for housebreaking, and sentenced to five years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (two hundred and forty-six days deducted).

Thoroughgood, Ida. Convicted in the corporation court of the city of Norfolk, August, 1902, for stealing from person, and sentenced to two years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Taylor, Edward. Convicted in the corporation court of the city of Norfolk, August, 1902, for attempt at housebreaking, and sentenced to one year in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Taylor, James. Convicted in the corporation court of the city of Manchester, October, 1902, for housebreaking, and sentenced to four years in the penitentiary, five years added for second conviction. Commuted June 29, 1903. In view of the recommendation of the judge of the corporation court of Manchester, the prisoner is hereby relieved of the five years' sentence added for second conviction.

Tucker, Pleasant. Convicted in the county court of Warwick county, March, 1902, for murder, and sentenced to sixteen years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and eleven days deducted).

Temple, William. Convicted in the county court of Warwick county, July 1902, for attempt to derail train, and sentenced to two years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (two hundred and twenty-eight days deducted).

Thomas, Cephas. Convicted in the county court of Princess Anne county, January, 1903, for grand larceny, and sentenced to four years in the peniten-

tiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-four days deducted).

Thomas, Henry. Convicted in the corporation court of the city of Newport News, November, 1902, for housebreaking, and sentenced to two years in penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (nineteen days deducted).

Taylor, William. Convicted in the corporation court of the city of Norfolk, January, 1903, for house-entering and larceny, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-five days deducted).

Thomas, John. Convicted in the county court of Wise county, January, 1903, for malicious shooting, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-seven days deducted).

Trent, David. Convicted in the county court of Patrick county, February, 1903, for unlawful shooting and murder, and sentenced to six years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-seven days deducted).

Trent, J. F. Convicted in the county court of Patrick county, February, 1903, for unlawful shooting and murder, and sentenced to eleven years in the penitentiary. Commuted September, 22, 1903, by reason of detention in jail on account of smallpox quarantine (fifty-seven days deducted).

Thompson, John. Convicted in the county court of Tazewell county, December, 1902, for house-entering and larceny, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Utterback, Reuben. Convicted in the county court of Fauquier county, October, 1902, for rape, and sentenced to twenty years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

Ward, John. Convicted in the county court of Pittsylvania county, May, 1902, for malicious shooting, and sentenced to three years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

Washington, Lewis. Convicted in the county court of Alleghany county, July, 1902, for manslaughter and murder, and sentenced to six years in the penitentiary. Commuted January 3, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-three days deducted).



Weaver, John. Convicted in the county court of Fauquier county, August, 1900, for car-breaking, and sentenced to ten years in the penitentiary. Commuted March 9, 1903. This is a case in which the sentence seems to be excessive, and upon the recommendation of the judge, Commonwealth's attorney, the jury, and the attorney of the party from whom the goods were stolen, I direct that the sentence be commuted to five years.

Williams, Dave. Convicted in the corporation court of the city of Norfolk, August, 1902, for burglary, and sentenced to five years in the penitentiary. Commuted February 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Woodley, Henry. Convicted in the corporation court of the city of Newport News, July, 1902, for attempt at rape, and sentenced to ten years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and thirty-six days deducted).

Williams, Charlie. Convicted in the county court of Nansemond county, August, 1902, for attempt at rape, and sentenced to eighteen years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

White, Frank. Convicted in the county court of Nansemond county, August, 1902, for petit larceny, third offence, and sentenced to two years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-two days deducted).

Wray, Elisha. Convicted in the county court of Pittsylvania county, October, 1902, for housebreaking and sentenced to two years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (forty-three days deducted).

Warner, Floyd. Convicted in the county court of Lee county, November, 1902, for unlawful shooting, and sentenced to one year in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (forty-eight days deducted).

Wright, Allie A. Convicted in the corporation court of the city of Newport News, November, 1902, for grand larceny, and sentenced to one year in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (nineteen days deducted).

Wyatt, Frazier. Convicted in the county court of Buckingham county, January, 1903, for bigamy, and sentenced to three years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and five days deducted).

Williams, Richard. Convicted in the county court of Warwick county, January, 1903, for murder second degree, and sentenced to seven years in the

penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Womack, James J. Convicted in the county court of Campbell county, January, 1903, for voluntary manslaughter, and sentenced to two years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-five days deducted).

Womack, Henry. Convicted in the county court of Pittsylvania county, January, 1903, for malicious shooting, and sentenced to six years in the penitentiary. Commuted July 25, 1903, by reason of detention in jail on account of smallpox quarantine (seventy-three days deducted).

Watkins, Edward B. Convicted in the hustings court of Richmond, January, 1903, for malicious assault, and sentenced to nine years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (thirty-four days deducted).

Ware, John Howard. Convicted in the county court of Rockingham county, March, 1903, for housebreaking, and sentenced to one year in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (sixty-eight days deducted).

Wright, Enoch. Convicted in the county court of Wise county, February, 1903, for murder second degree, and sentenced to seventeen years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-seven days deducted).

Williams, James. Convicted in the county court of Tazewell county, December, 1902, for house-entering and larceny, and sentenced to two years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (forty-one days deducted).

Werner, Andrew. Convicted in the county court of Halifax county, February, 1903, for grand larceny, and sentenced to one and one-half years in the penitentiary. Commuted September 22, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-eight days deducted).

Yarbrough, James. Convicted in the corporation court of the city of Norfolk, August, 1902, for felonious shooting, and sentenced to five years in the penitentiary. Commuted April 30, 1903, by reason of detention in jail on account of smallpox quarantine (twenty-eight days deducted).

Young, William. Convicted in the county court of Warwick county, October, 1902, for murder second degree, and sentenced to twelve years in the penitentiary. Commuted July 11, 1903, by reason of detention in jail on account of smallpox quarantine (one hundred and thirty-nine days deducted).

# Conditional Pardons.

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Agee, John. Convicted in the county court of Bedford county, March, 1899, for housebreaking and sentenced to seven years in the penitentiary. Conditional pardon granted January 14, 1903. All the requirements of the law respecting conditional pardons have been complied with in this case, therefore the pardon is granted.

Booker, John. Convicted in the county court of Nelson county, December, 1898, for housebreaking, and sentenced to seven years in the penitentiary. Conditional pardon granted January 14, 1903. All the requirements of the law respecting conditional pardons have been complied with in this case, therefore the pardon is granted.

Boggs, John W. Convicted in the county court of Dickenson county, April, 1901, for felony, and sentenced to three years in the penitentiary. Conditional pardon granted October 17, 1903. Upon the recommendation of the Commonwealth's attorney, a conditional pardon is granted this convict upon the express condition that he return to Dickenson county and testify in any case in which he may be summoned, otherwise this pardon to be null and void.

Carty, Morgan. Convicted in the county court of Wise county, August, 1901, for murder second degree, and sentenced to six years in the penitentiary. Conditional pardon granted July 1, 1903. Upon the report of the surgeon of the State Farm that this young man has consumption, and his condition is such as to warrant immediate release from confinement, I direct a conditional pardon to be issued.

Campbell, W. T. Convicted in the county court of Smyth county, December, 1902, for malicious assault, and sentenced to four years in the penitentiary. Conditional pardon granted December 30, 1903. The trial judge, Commonwealth's attorney and representative member of the House of Delegates, are of opinion that the sentence imposed is excessive and the time already served sufficient. In view of this consideration, and upon the request of a number of reputable citizens, I direct that this man be conditionally pardoned.

Drummond, John. Convicted in the county court of Brunswick county, September, 1902, for murder second degree, and sentenced to five years in the penitentiary. Conditional pardon granted March 22, 1903. In consideration of the youth of the prisoner, who is only eleven years of age, and upon the recommendation of the trial judge, I direct a pardon upon the condition that

he be transferred, received at, and kept in custody in the colored reformatory until the expiration of the sentence imposed by the court.

DeLacy, A. J. Convicted in the hustings court of the city of Richmond, March, 1900, for housebreaking, two indictments, and sentenced to seven years in the penitentiary. Conditional pardon granted April 9, 1903. This young man was convicted, with two older men, of entering the Monumental and Christ Episcopal churches, of this city, and stealing therefrom some books and plate. He has served about half of his term. His pardon has been heretofore recommended by Judge Witt, the trial judge, and is now again urged by him and the Commonwealth's attorney. The vestries of the two churches strongly concur in the application. In view of the youth of the boy at the time of the commission of the crime, and the time of imprisonment already served, a pardon is directed upon the condition that he return with a friend who now awaits him in this city, to his home in New York.

Flowers, George. Convicted in the county court of Appomattox county, March, 1901, for murder second degree, and sentenced to ten years in the penitentiary. Conditional pardon granted December 24, 1903. In view of the recommendation of the judge and assistant prosecuting attorney, who are of opinion that the sentence already served is sufficient, a conditional pardon is granted.

Holman, Geo. P. Convicted in the hustings court of Richmond city, October, 1902, for assault, and sentenced to twelve months in the city jail. Conditional pardon granted January 24, 1903. This is a conviction of simple assault and confinement in the city jail for one year. Nine of the jury and a very large majority of the Legislature, together with many other citizens urge me to pardon this young man. In view of these considerations and the health and pathetic condition of his mother, I am constrained to pardon the prisoner, conditioned upon his return to Fluvanna county and his good behavior and failure to violate any of the laws of the Commonwealth.

Lambert, Oley. Convicted in the county court of Dickenson county, March, 1903, for felonious assault, and sentenced to two years in the penitentiary. Conditional pardon granted July 20, 1903. Upon representation by the trial judge, the jurors, and many of the county officers, that facts developed since the trial show that the man was not guilty, I direct a conditional pardon.

Mason, William. Convicted in the police court of the city of Norfolk, September, 1903, for petit larceny, and sentenced to six months in the city jail. Conditional pardon granted December 18, 1903. In consideration of the ill-health of the applicant as certified by the jail physician, and upon the request of the person injured and the trial police justice, a pardon is granted, conditioned upon the future good behavior of the prisoner.

Prescott, Frank E. Convicted in the hustings court of the city of Richmond, January, 1903, for grand larceny, and sentenced to one year in the penitentiary. Conditional pardon granted February 25, 1903. It appears that this

man's health is in a very wretched conditon and he needs immediate medical and surgical attention. His pardon is earnestly recommended by the Commonwealth's attorney and trial judge. I therefore direct the pardon of the prisoner upon condition that he return with his brother to his mother in Indiana.

Roane, Richard. Convicted in the county court of Middlesex county, November, 1901, for rioting and destroying property, and sentenced to two years in the penitentiary, five years added for second conviction. Conditional pardon granted October 3, 1903. Upon the request of the trial judge, Commonwealth's attorney, and the sheriff, who think the term of seven years is excessive, I direct a pardon conditioned upon the good conduct of the said Roane, and that he will refrain from violating any of the laws of the State or the United States.

Straitor, Alice. Convicted in the corporation court of the city of Danville, December, 1899, for malicious assault, and sentenced to nine years in the penitentiary. Conditional pardon granted April 30, 1903. This pardon is recommended by the president of the board of directors and by Dr. Carrington, the surgeon of the penitentiary, upon the distinct ground that the woman is in the last stages of pulmonary tuberculosis. I therefore direct a conditional pardon.

Stokes, Thomas. Convicted in the hustings court of the city of Richmond, December, 1897, for housebreaking, and sentenced to seven years in the penitentiary. Conditional pardon granted July 9, 1903. This man aided not long since in the recapture of an escaped convict at the penitentiary farm. Meritorious conduct in this respect it is proper and customary to reward, and upon the recommendation of the manager of the farm I direct his pardon.

Sims, Penny. Convicted in the county court of Culpeper county, June, 1903, for unlawful assault, and sentenced to one year in penitentiary. Conditional pardon granted December 23, 1903. All the requirements of the law respecting conditional pardons have been complied with in this case, the conditional pardon is granted.

Thames, John Robert. Convicted in the county court of Halifax county, February, 1903, for rioting and destroying property, and sentenced to two years in the penitentiary. Conditional pardon granted December 31, 1903.

This is a young white boy, aged seventeen, convicted of participating in a riot in Halifax county, and sentenced to the penitentiary for two years. Shortly after conviction he was tried for shooting during the riot and acquitted. All of the latter jury and eleven of the former urge his pardon. The jury of conviction urge it upon the ground that the chief witness to establish the identity of the convict at the place of the riot made an affidavit after the trial that she was mistaken in such identity, and that had she so testified upon the trial, or had they not believed her, they would have found a verdict of not guilty. The presiding judge in the riot case was from another county, and he, with the trial judge in the shooting case, urge

the pardon, together with a petition and letters most extraordinarily numerous from reputable citizens of the county of Halifax and the county of Mecklenburg, in which latter county the convict resided.

In addition, the health of the mother of the convict is most precarious; indeed, two reputable physicians represent her condition as pathetic, and state that her critical physical condition is due to grief consequent upon the conviction of her son. Therefore, I am constrained to direct a conditional pardon, which under the law he would be entitled to in about a month from this date.

Wren, Henry A. Convicted in the county court of Henrico county, October, 1902, for murder second degree, and sentenced to five years in the penitentiary. Conditional pardon granted February 20, 1903. The jail physician states that this man is about to die; and the trial judge and Commonwealth's attorney, urge immediate pardon. Therefore a pardon is granted upon the condition that if the applicant recover he shall at once return to prison and serve out the punishment imposed.

Wilkins, D. M. Convicted in the corporation court of the city of Petersburg, October, 1901, for grand larceny, and sentenced to three years in the penitentiary. Conditional pardon granted March 11, 1903. All the requirements of the law respecting conditional pardons having been complied with in this case, the conditional pardon is granted.

Washington, John. Convicted in the county court of Mathews county, June term, 1902, for felonious assault, and sentenced to two years in the penitentiary. Conditional pardon granted December 23, 1903. All the requirements of the law respecting conditional pardons have been complied with in this case; the conditional pardon is granted.

Castleman, J. H. Convicted in the county court of Frederick county, April, 1899, for felony, and sentenced to ten years in the penitentiary. Conditional pardon granted September 24, 1903.

Carter, Stanley. Convicted in the county court of Prince Edward county, September, 1902, for housebreaking, and sentenced to two years in the penitentiary. Conditional pardon granted October 14, 1903.

Cumb, George. Convicted in the county court of Roanoke county, January, 1901, for murder second degree, and sentenced to five years in the penitentiary. Conditional pardon granted December 23, 1903.

Davis, John. Convicted in the county court of Nottoway county, January, 1897, for car breaking, and sentenced to nine years in the penitentiary. Conditional pardon granted February 26, 1903.

Daniel, Middy Ann. Convicted in the county court of Appomattox county, September, 1898, for aiding and abetting housebreaking, and sentenced to seven years in the penitentiary. Conditional pardon granted March 9, 1903.

Derater, Thomas. Convicted in the county court of Chesterfield county, September, 1897, for robbery, and sentenced to twelve years in the penitentiary. Conditional pardon granted October 27, 1903.

English, Ed. Convicted in the county court of Franklin county, March, 1899, for rape, and sentenced to six years in the penitentiary. Conditional pardon granted June 26, 1903.

Foster, Isalah. Convicted in the corporation court of the city of Norfolk, February, 1901, for housebreaking, and sentenced to four years in the penitentiary. Conditional pardon granted March 9, 1903.

Falin, Lil. Convicted in the county court of Scott county, May, 1902, for unlawful shooting, and sentenced to one year in the penitentiary. Conditional pardon granted March 28, 1903.

Fisher, John. Convicted in the county court of Richmond county, September, 1902, for felony, and sentenced to one year in the penitentiary. Conditional pardon granted May 4, 1903.

Farley, Raymond. Convicted in the county court of Nansemond county, May, 1902, for forgery, and sentenced to two years in the penitentiary. Conditional pardon granted May 26, 1903.

Foutz, Robert. Convicted in the county court of Roanoke county, September, 1897, for murder second degree, and sentenced to eighteen years in the penitentiary. Conditional pardon granted July 9, 1903.

**Farmer, Winton.** Convicted in the county court of Tazewell county, February, 1903, for malicious shooting, and sentenced to one year in the penitentiary. Conditional pardon granted October 8, 1903.

**Franklin, John.** Convicted in the county court of Henrico county, October, 1896, for horse stealing, and sentenced to seven years in the penitentiary. Conditional pardon granted November 5, 1903.

**Foushee, Chas.** Convicted in the county court of Henrico county, January, 1897, for murder second degree, and sentenced to ten years in the penitentiary. Conditional pardon granted December 15, 1903.

**Gorman, J. E.** Convicted in the county court of Wise county, February, 1901, for murder second degree, and sentenced to five years in the penitentiary. Conditional pardon granted May 26, 1903.

**Gordon, J. W.** Convicted in the county court of Augusta county, September, 1901, for forgery, and sentenced to two years in the penitentiary. Conditional pardon granted June 23, 1903.

**Gillespie, John.** Convicted in the county court of Wise county, May, 1900, for murder second degree, and sentenced to five years in the penitentiary. Conditional pardon granted July 10, 1903.

**Graham, Johnson.** Convicted in the hustings court of the city of Richmond, October, 1900, for malicious shooting, and sentenced to five years in the penitentiary. Conditional pardon granted October 14, 1903.

**Gillespie, Tom.** Convicted in the county court of Wise county, April, 1900, for rape, and sentenced to five years in the penitentiary. Conditional pardon granted October 27, 1903.

**Goings, William.** Convicted in the county court of Henry county, May, 1895, for housebreaking, two indictments, and sentenced to five years in the penitentiary, five years added for second conviction. Conditional pardon granted November 30, 1903.

**Green, Frank.** Convicted in the corporation court of the city of Norfolk, March, 1902, for malicious assault, and sentenced to two years in the penitentiary. Conditional pardon granted November 30, 1903.

**Halrson, Finley.** Convicted in the circuit court of Henry county, October, 1893, for robbery, and sentenced to thirteen years in the penitentiary. Conditional pardon granted February 14, 1903.

**Harris, Ann.** Convicted in the county court of Charlotte county, February, 1902, for housebreaking, and larceny, and sentenced to two years in the penitentiary. Conditional pardon granted February 26, 1903.



Hammock, Samuel. Convicted in the county court of Pittsylvania county, July, 1901, for voluntary manslaughter, and sentenced to three years in the penitentiary. Conditional pardon granted March 9, 1903.

Harding, Ned. Convicted in the county court of Mecklenburg county, June, 1896, for housebreaking, and sentenced to eleven years in the penitentiary. Conditional pardon granted March 9, 1903.

Hardy, Samuel. Convicted in the corporation court, of the city of Danville, March, 1901, for grand larceny, and sentenced to five years in the penitentiary. Conditional pardon granted May 26, 1903.

Hester, Robert. Convicted in the county court of Mecklenburg county, February, 1900, for malicious cutting, and sentenced to four years in the penitentiary. Conditional pardon granted May 27, 1903.

Hairston, Joe Peter. Convicted in the county court of Henry county, July, 1888, for horse stealing, and sentenced to eighteen years in the penitentiary. Conditional pardon granted June 13, 1903.

Haskins, Geo. Convicted in the county court of Greenville county, January, 1897, for jail burning and burglary, and sentenced to thirteen years in the penitentiary. Conditional pardon granted July 10, 1903.

Hoffman, J. S. E. Convicted in the corporation court of the city of Roanoke, February, 1902, for bigamy, and sentenced to three years in the penitentiary. Conditional pardon granted October 1, 1903.

Irvine, Wm. Convicted in the county court of Pulaski county, May, 1902, for malicious wounding, and sentenced to three years in the penitentiary. Conditional pardon granted December 23, 1903.

Jones, Archer. Convicted in the county court of Buckingham county, June, 1898, for malicious shooting, and sentenced to ten years in the penitentiary. Conditional pardon granted April 30, 1903.

Jones, Wm. Convicted in the corporation court of the city of Norfolk, January, 1898, for housebreaking, and sentenced to seven years in the penitentiary. Conditional pardon granted June 12, 1903.

Jones, Chas. Convicted in the county court of Isle of Wight county, April, 1901, for unlawful cutting, and sentenced to three years in the penitentiary. Conditional pardon granted July 10, 1903.

Johnson, Lewis. Convicted in the county court of Lunenburg county, April, 1896, for housebreaking, and sentenced to ten years in the penitentiary. Conditional pardon granted July 10, 1903.

Johnson, George. Convicted in the corporation court of the city of Staunton, July, 1902, for felony, and sentenced to two years in the penitentiary. Conditional pardon granted September 4, 1903.

Jones, John. Convicted in the county court of Tazewell county, April, 1903, for voluntary manslaughter, and sentenced to one year in the penitentiary. Conditional pardon granted October 14, 1903.

Jones, Robert. Convicted in the county court of Prince Edward county, December, 1896, for robbery, and sentenced to eight years in the penitentiary. Conditional pardon granted October 27, 1903.

Keen, William. Convicted in the county court of Henrico county, June, 1900, for burglary, and sentenced to five years in the penitentiary. Conditional pardon granted February 26, 1903.

Kitchen, James. Convicted in the hustings court of Richmond, April, 1903, for petit larceny, third offence, and sentenced to one year in the penitentiary. Conditional pardon granted December 3, 1903.

Lane, William. Convicted in the county court of Richmond county, September, 1900, for cattle stealing, and sentenced to three years in the penitentiary. Conditional pardon granted January 14, 1903.

Logan, Samuel. Convicted in the county court of Pittsylvania county, December, 1896, for horse stealing, and sentenced to ten years in the penitentiary. Conditional pardon granted April 30, 1903.

Lewis, Henry. Convicted in the county court of Alexandria county, September, 1900, for malicious assault, and sentenced to five years in the penitentiary. Conditional pardon granted June 26, 1903.

Lumpkins, Will. Convicted in the county court of Wise county, September, 1899, for murder second degree, and sentenced to eight years in the penitentiary. Conditional pardon granted September 22, 1903.

Lucas, Simeon. Convicted in the county court of Page county, June, 1901, for housebreaking and larceny, and sentenced to five years in the penitentiary. Conditional pardon granted September 24, 1903.

Mason, Wyatt. Convicted in the corporation court of Petersburg, January, 1897, for housebreaking, and sentenced to ten years in the penitentiary. Conditional pardon granted March 28, 1903.

Macon, John. Convicted in the county court of Hanover county, May, 1900, for rape, and sentenced to five years in the penitentiary. Conditional pardon granted May 26, 1903.

Merideth, Barnett. Convicted in the county court of Hanover county, February, 1895, for unlawful cutting, and sentenced to ten years in the penitentiary. Conditional pardon granted May 27, 1903.

Marshall, E. L. Convicted in the county court of Wise county, March, 1901, for attempt to wreck train, and sentenced to five years in the penitentiary. Conditional pardon granted June 12, 1903.

Martin, Lee. Convicted in the corporation court of the city of Roanoke, February, 1903, for unlawful assault, and sentenced to one year in the penitentiary. Conditional pardon granted October 27, 1903.

Mills, Samuel. Convicted in the corporation court of the city of Alexandria, July, 1902, for forgery, and sentenced to two years in the penitentiary. Conditional pardon granted November 30, 1903.

Morgan, Isaac. Convicted in the corporation court of the city of Richmond, May, 1902, for housebreaking, and sentenced to three years in the penitentiary. Conditional pardon granted December 23, 1903.

McKinney, Sam. Convicted in the corporation court of the city of Danville, June, 1902, for malicious assault, and sentenced to two years in the penitentiary. Conditional pardon granted May 27, 1903.

Oliver, H. C. Convicted in the hustings court of the city of Danville, December, 1900, for housebreaking, and sentenced to three years in the penitentiary. Conditional pardon granted February 26, 1903.

O'Quinn, James. Convicted in the county court of Buchanan county, July, 1902, for manslaughter, and sentenced to one year in the penitentiary. Conditional pardon granted April 9, 1903.

Pritchett, John. Convicted in the corporation court of the city of Bristol, February, 1901, for grand larceny, and sentenced to three years in the penitentiary. Conditional pardon granted July 10, 1903.

Peoples, Henry. Convicted in the county court of Norfolk county, April, 1897, for attempted rape, and sentenced to ten years in the penitentiary. Conditional pardon granted August 31, 1903.

Reid, William. Convicted in the county court of Princess Anne county, August, 1901, for housebreaking, and sentenced to three years in the penitentiary. Conditional pardon granted May 27, 1903.

Richardson, William. Convicted in the county court of James City county, December, 1900, for malicious cutting, and sentenced to five years in the penitentiary. Conditional pardon granted May 27, 1903.

Robinson, Charles. Convicted in the hustings court of the city of Petersburg, December, 1898, for stealing from person, and sentenced to one year in the penitentiary. Five years added for second conviction. Conditional pardon granted June 26, 1903.

Rogers, James P. Convicted in the county court of Nottoway county, October, 1902, for housebreaking, and sentenced to two years in the penitentiary. Conditional pardon granted October 14, 1903.

Rountree, Jno. Convicted in the county court of Dinwiddie county, November, 1902, for housebreaking and larceny, and sentenced to two years in the penitentiary. Conditional pardon granted November 30, 1903.

Ramey, Henry. Convicted in the county court of Russell county, July, 1902, for horse stealing, and sentenced to three years in the penitentiary. Conditional pardon granted December 23, 1903.

Stokes, Lizzie. Convicted in the county court of Prince Edward county, November, 1893, for murder second degree, and sentenced to eighteen years in the penitentiary. Conditional pardon granted April 30, 1903.

Shuck, Robert. Convicted in the county court of Wythe county, March, 1892, for murder second degree, and sentenced to fifteen years in the penitentiary. Conditional pardon granted September 5, 1903.

Stancil, Malachi. Convicted in the county court of Norfolk county, January, 1899, for horse stealing, and sentenced to ten years in the penitentiary. Conditional pardon granted October 27, 1903.

Sears, Geo. Convicted in the hustings court of the city of Richmond, May, 1902, for felonious assault, and sentenced to three years in the penitentiary. Conditional pardon granted November 4, 1903.

Sullivan, Frank. Convicted in the county court of Orange county, December, 1902, for malicious cutting, and sentenced to two years in the penitentiary. Conditional pardon granted November 10, 1903.

Tinsley, Grant. Convicted in the hustings court of the city of Richmond, November, 1901, for housebreaking, and sentenced to two years in the penitentiary. Conditional pardon granted February 14, 1903.

Townes, Lee. Convicted in the hustings court of the city of Richmond, March, 1901, for housebreaking, and sentenced to three years in the penitentiary. Conditional pardon granted July 10, 1903.

Turman, Floyd. Convicted in the county court of Carroll county, May, 1902, for felony, and sentenced to two years in the penitentiary. Conditional pardon granted July 10, 1903.

Tuck, Eli. Convicted in the county court of Powhatan county, September, 1891, for burglary, and sentenced to eighteen years in the penitentiary. Conditional pardon granted September 4, 1903.

Venable, Howard. Convicted in the hustings court of Richmond city, May, 1901, for malicious wounding, and sentenced to five years in the penitentiary. Conditional pardon granted September 29, 1903.

Wells, Chas. Convicted in the county court of Wythe county, March, 1903, for robbery, and sentenced to eight years in the penitentiary. Conditional pardon granted March 9, 1903.

Wade, Clishy. Convicted in the county court of Montgomery county, April, 1901, for felony, and sentenced to three years in the penitentiary. Conditional pardon granted April 30, 1903.

White, Joseph. Convicted in the county court of Wise county, June, 1900, for car breaking, and sentenced to five years in the penitentiary. Conditional pardon granted April 30, 1903.

Weaver, John. Convicted in the county court of Fauquier county, August, 1900, for car breaking, and sentenced to ten years in the penitentiary. Conditional pardon granted May 26, 1903.

Watkins, Thomas. Convicted in the county court of Prince Edward county, July, 1897, for malicious assault, and sentenced to ten years in the penitentiary. Conditional pardon granted May 26, 1903.

White, Bige. Convicted in the county court of Wise county, March, 1901, for malicious burning, and sentenced to three years in the penitentiary. Conditional pardon granted May 13, 1903.

Walker, Littleton. Convicted in the county court of Hanover county, July, 1892, for rape, and sentenced to twenty years in the penitentiary. Conditional pardon granted May 26, 1903.

Wray, James. Convicted in the hustings court of the city of Richmond, October, 1897, for burglary, and sentenced to seven years in the penitentiary. Conditional pardon granted July 10, 1903.

Wilkinson, Harvey. Convicted in the county court of Powhatan county, July, 1900, for murder second degree, and sentenced to six years in the penitentiary. Conditional pardon granted August 31, 1903.

Wright, Williams. Convicted in the hustings court of the city of Petersburg, May, 1898, for burglary, and sentenced to seven years in the penitentiary. Conditional pardon granted November 11, 1903.

Williamson, Orange. Convicted in the county court of Mathews county, June, 1902, for malicious assault, and sentenced to three years in the penitentiary. Conditional pardon granted November 30, 1903.

Wood, Albert. Convicted in the corporation court of Alexandria city, October, 1899, for attempted larceny, and sentenced to three years in the penitentiary, five years added for second conviction. Conditional pardon granted November 30, 1903.

Womack, Jas. J. Convicted in the county court of Campbell county, January, 1903, for voluntary manslaughter, and sentenced to two years in the penitentiary. Conditional pardon granted December 15, 1903.

Williams, E. P. Convicted in the hustings court of the city of Petersburg, October, 1901, for housebreaking and larceny, and sentenced to four years in the penitentiary. Conditional pardon granted December 23, 1903.

Young, John. Convicted in the hustings court of the city of Richmond, October, 1893, for malicious shooting, and sentenced to six years in the penitentiary. Conditional pardon granted June 26, 1903.

# Respites.

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**Bryant, Wilson.** Convicted in the county court of Dickenson county, November, 1902, for murder first degree, and sentenced to be hanged May 15, 1903. Respited May 9, 1903 until June 12, 1903.

**Bryant, Wilson.** Convicted in the county court of Dickenson county, November, 1902, for murder first degree, and sentenced to be hanged May 15, 1903. Respited June 10, 1903, until July 10, 1903 (Friday). This respite was granted in order that time might be afforded to investigate the merits of the petition praying commutation.

**Bacon, Doc.** Convicted in the county court of Mecklenburg county, August, 1903, for attempted criminal assault, and sentenced to be hanged September 2, 1903. Respited September 2, until Friday September 4, 1903. This respite was granted in order that time might be afforded to investigate the merits of the petition praying commutation.

**Bason, Doc.** Convicted in the county court of Mecklenburg county, August, 1903, for attempted criminal assault, and sentenced to be hanged September 2, 1903. Respited September 4, 1903, until October 3, 1903.

**Hopson, E. A.** Convicted in the county court of Wise county, January, 1903, for murder first degree, and sentenced to be hanged May 15, 1903. Respited May 11, 1903, until June 12, 1903. This respite was granted in order that time might be afforded to investigate the merits of the petition praying commutation.

**Jones, William.** Convicted in the corporation court of the city of Danville, July, 1903, for murder first degree, and sentenced to be hanged September 25, 1903. Respited September 24, 1903, until October 9, 1903. This respite was granted in order that time might be afforded to investigate the merits of the petition praying commutation.

**Watters, Samuel.** Convicted in the corporation court of the city of Norfolk, February, 1903, for murder first degree, and sentenced to be hanged April 15, 1903. Respited April 13, 1903, until April 24, 1903. This respite was granted in order that time might be afforded to investigate the merits of the petition praying commutation.

# Fines Remitted.

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Cundiff, G. T. Convicted in the county court of Bedford county, March, 1889, for carrying concealed weapons, and fined, with costs amount to thirty-six dollars and thirty-two cents. Remitted July 14, 1903. Upon the recommendation of the judge and Commonwealth's attorney.

Cundiff, Norvall. Convicted in the county court of Bedford county, March, 1889, for trespass, and fined five hundred dollars and costs, twenty-two dollars and twenty-three cents, amounting to five hundred and twenty-two dollars and twenty-three cents. Remitted July 14, 1903. Upon the recommendation of the judge and Commonwealth's attorney.

Cundiff, G. T. Convicted in the county court of Bedford county, March, 1889, for assault and battery, and fined eighteen dollars and forty-four cents. Remitted July 14, 1903, upon recommendation of the judge and Commonwealth's attorney.

Doyle, E. J. Convicted in the corporation court of the city of Lynchburg, June, 1900, for assault, and sentenced to twelve months in jail and to pay a fine of one thousand dollars. Fine remitted April 30, 1903.

Inasmuch as the fine and costs imposed would fall upon this young man's father, who is in nowise responsible for the misconduct of his son, the fine is to be remitted upon the payment of the costs in connection with the prosecution.

Goodloe, H. A. Convicted in the county court of Rockbridge county, August, 1876, for selling liquor on Sunday, and fined ten dollars and costs, twenty dollars and eighty cents, amount to thirty dollars and eighty cents. Remitted September 19, 1903.

As this land was sold by order of court, and the purchase money paid out by the same, there is equity in behalf of the purchasers. In consideration of the above facts, I hereby direct that the fine and costs be remitted.

Higgins, Daniel. Convicted in the hustings court of the city of Richmond, November 11, 1873, for unlawful shooting, and fined three hundred dollars and costs. Remitted May 27, 1903.

This applicant was convicted of an assault over thirty years ago, and sentenced to an imprisonment of twelve months and three hundred dollars fine. He served twelve months, and three months additional for the non-payment of his fine, when he was released under the statute, since which time he has



led a law-abiding life, but has been unable to pay the fine. In consideration of these facts, and the earnest recommendation of the trial judge and Commonwealth's attorney, I direct that the fine be remitted.

Henry, Mattie. Convicted in the county court of Bedford county, January 17, 1875, for misdemeanor, and fined fifty dollars and costs, eighty-three dollars and one cent, making a total of one hundred and thirty-three dollars and one cent. Remitted June 29, 1903.

Phillips, Wm. Convicted in the county court of Bedford county, January 17, 1875, for misdemeanor, and fined fifty dollars and costs, eighty-three dollars and one cent, making a total of one hundred and thirty-three dollars and one cent. Remitted June 29, 1903.

Rosson, R. L. Convicted in the county court of Culpeper county, October, 1894, for misdemeanor, and fined twenty-five dollars. Fine remitted December 2, 1903.

Sudduth, Joseph. Convicted in the corporation court of the city of Alexandria, April 17, 1891, for selling liquor without a license, and fined one hundred dollars and costs, twenty-six dollars and forty-nine cents, making a total of one hundred and twenty-six dollars and forty-nine cents. Remitted July 15, 1903. In consideration of the facts reported, and upon the recommendation of the trial judge and Commonwealth's attorney, the fine and costs are hereby remitted.





# COMMUNICATION

FROM

Secretary of the Commonwealth

TRANSMITTING

CERTAIN INFORMATION REGARDING INSURANCE ON  
STATE PROPERTY AT SEAT OF GOVERNMENT.

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COMMONWEALTH OF VIRGINIA,

Land Office,

Richmond, January 20, 1864.

Hon. D. Q. Eggleston,  
Secretary of the Commonwealth,  
Richmond, Va.

Dear Sir :

I beg to hand you herewith statement of insurance in force on the  
property of the State at the seat of government, as per your request.

Yours very truly,

JNO. W. RICHARDSON,  
Register of Land Office



VIRGINIA.  
Office of  
Secretary of the Commonwealth.

Richmond, Va., February 15, 1904.

To the President of the Senate of Virginia :

Sir,—In response to a resolution of the Senate adopted on January 18, 1904, I have the honor to transmit herewith a statement of the insurance carried on State property at the various State institutions and at the seat of government, showing the dates of expiration of the policies and the amount of premiums paid.

I also transmit the original communications received from the heads of the various public institutions.

Very truly yours,

D. Q. EGGLESTON,  
Secretary of the Commonwealth.



## STATEMENT

Of Insurance in force on Buildings and Property at the Seat of Government, at Richmond, Va.

## Steam Boiler at Capitol Building.

Amount of insurance . . . . .	\$ 5,000 00
Amount of Premium . . . . .	50 00
Expires October 25 1904. For three years.	

## Steam Boiler at State Library Building.

Amount of insurance . . . . .	\$10,000 00
Amount of premium . . . . .	100 00
Expires October 22, 1904. For three years.	

## On Capitol Building and Boilers and Attachments and Elevator and Attachments.

Amount of insurance . . . . .	\$25,000 00
Amount of premium . . . . .	487 50
Expires October 31, 1905. For five years.	

## On Capitol Building and Boilers and Attachments and Elevator and Attachments.

Amount of insurance . . . . .	\$10,000 00
Amount of premium . . . . .	195 00
Expires November 1, 1905. For five years.	

## On Capitol Building, Furniture, Pictures, Stove and Statues.

Amount of insurance . . . . .	\$30,000 00
Amount of premium . . . . .	585 00
Expires November 1, 1905. For five years.	

## On Furniture and Household Goods in Executive Mansion.

Amount of insurance . . . . .	\$10,000 00
Amount of premium . . . . .	80 00
Expires April 12, 1906. For three years.	

## On Executive Mansion.

Amount of insurance . . . . .	\$ 8,000 00
Amount of premium . . . . .	30 00
Expires April 28, 1906. For three years.	



## VIRGINIA STATE LIBRARY,

Richmond, Va., January 20, 1904.

Dear Sir:

In compliance with the resolution agreed to by the Senate of the State of Virginia, January 18, 1904, I list the following policies, amounts thereof, and premiums on full term of five years covering the books, pamphlets, manuscripts, portraits and other property of the Virginia State Library:

Germania Fire Insurance Company of New York, Policy No.		
12947, March 23, 1899, to March 23, 1904.	Amount . . . . .	\$7,500 00
Premium . . . . .		56 25
Petersburg Savings and Insurance Company of Petersburg, Va.,		
Policy No. 124204, July 20, 1903, to July 20, 1908.	Amount . .	10,000 00
Premium . . . . .		120 00
The Liverpool and London and Globe Insurance Co., Policy No.		
6658439 July 20, 1903, to July 20, 1908.	Amount . . . . .	12,500 00
Premium . . . . .		150 00
The Virginia Fire and Marine Insurance Company of Richmond,		
Va., Policy No. 551912, July 20, 1903, to July 20, 1908.	Amount	10 000 00
Premium . . . . .		120 00
Virginia State Insurance Company, Richmond, Va., Policy No.		
69951, July 20, 1903, to July 20, 1908.	Amount . . . . .	5,000 00
Premium . . . . .		60 00
Virginia State Insurance Company, Richmond, Va., Policy No.		
249584, July 20, 1903, to July 20, 1908.	Amount . . . . .	5,000 00
Premium . . . . .		60 00

The foregoing premium quotations are based on term rate of five years each.

Very respectfully,

JOHN P. KENNEDY,  
Librarian.

The Hon. D. Q. Eggleston,  
Secretary of the Commonwealth of Virginia.

Total amount of insurance carried . . . . . \$50,000 00

## BOOKS, CODES, &amp;c., IN CAPITOL.

Value.	Insurance.	Expires.
\$30,000 00	\$ 20,000 00	July 5, 1906.

## THE PENITENTIARY,

Richmond, Va., January 23, 1904.

D. Q. Eggleston, Esq.,  
Secretary of the Commonwealth.

Dear Sir:

In reply to your inquiry of recent date in reference to the amount of insurance carried by this institution, I beg to submit the following statement:

Buildings	Value	Amount of Insurance	Premium	Rate	Policies Expire
Shoe Shops . . . . .	\$71 250 00	\$60,000 00	\$540 00	\$ 90	April 4, 1904
2 Dwellings . . . . .	7,357 00	2 000 00	8 00	15	February 10, 1908
Dwelling (Farm) . . . . .	1,000 00	600 00	4 00	60 <sup>2</sup> / <sub>3</sub>	April 24, 1904
Barn (Farm) . . . . .	3,000 00	1,500 00	15 75	1 05	February 10, 1908

## PERSONAL PROPERTY.

Supplies in store . . . . .	\$10,000 00	\$187 50	\$1 87 <sup>1</sup> / <sub>2</sub>	February 21, 1904
Boilers (2) . . . . .	2,500 00	25 00	1 00	April 13, 1904

The above insurance is considered sufficient to cover probable losses.

Yours very truly,

E. F. MORGAN,  
Acting Superintendent Virginia Penitentiary.

## A STATEMENT

of Insurance on Property of the State of Virginia, at Petersburg, Virginia.

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Buildings—six (6) brick buildings for executive offices and patients; and seven (7) brick buildings for steam plant, fire department, laundry, bakery, store-house, etc. Total 13 brick buildings Seventeen (17) frame houses used for farm purposes and other purposes. Value of same (including permanent fixtures) . . . . .		\$360,000 00
Amount of Insurance . . . . .		131,625 00
Rate (per annum) . . . . .		1 10
Amount of premium . . . . .		4,442 62
Dates of expiration of policies, January 4, 1909, on all buildings and personal property. On the boilers the policy of \$20,000 expires November 12, 1906. Premium . . . . .		200 00
Personal property, furniture, bedding, clothing, stores of every kind, etc. Value . . . . .		50,000 00
Amount of Insurance . . . . .		20,375 00
Amount of premiums . . . . .		672 38
Rate . . . . .		1 10
Date of expiration of policies, January 4, 1909.		

(Signed) WM. F. DREWRY,

January 20, 1904.

Superintendent.

## A STATEMENT

of Insurance on Property of the State of Virginia at the Central State Hospital, Petersburg, Va.

On buildings known as the main building, the east wing building, the west wing building, the dormitory building, building for female epileptics, building for male epileptics and chronic male patients, Mayfield or Whitworth building, the laundry, the bakery, the fire department house, the soap and oil house, the boiler house, the pump house the corn crib, the barn or granary, the shed for storing forage, etc., the old cow house, the new cow house, the cottage for contagious diseases, the carpenter shop, the farm house, the fish and bed house, the morgue, the ice house, the hog house, and on all the frame buildings on the property known as "Norbourne."

Value of buildings and permanent fixtures . . . . .	\$360,000 00
Amount of insurance carried on same . . . . .	134,625 00
Amount of premiums paid on this insurance . . . . .	4,442 62
Rate (per annum) . . . . .	1 10
Date of the expiration of these policies, January 4, 1909.	

## PERSONAL PROPERTY

Value . . . . .	50,000 00
Amount of insurance carried on same . . . . .	20,875 00
Amount of premiums paid on this insurance . . . . .	672 38
Rate (per annum) . . . . .	1 10
Date of the expiration of these policies, January 4, 1909.	

## BOILERS, &amp;c., PUMPS, &amp;c.

Value (\$7,000) included in value of buildings and permanent fixtures.

Amount of boiler accident insurance carried on same . . . . .	20,900 00
Amount of premium paid on this insurance . . . . .	200 00
Rate (per annum) . . . . .	83½
Date of expiration of this policy, November 12, 1906.	

Total value of buildings, personal property, etc . . . . .	410,000 00
Total amount of fire insurance on same . . . . .	155,000 00
Total amount of premiums paid on fire insurance . . . . .	5,115 00
Rate (per annum) . . . . .	1 10
Insured for 5 years, for 3 annual premiums—paid cash.	
Total amount of insurance carried . . . . .	175,000 00
Total premiums paid on same . . . . .	5,815 00

## EASTERN STATE HOSPITAL—BUILDINGS.

	Cost.	Value.	Insurance Suggested.	Insurance in Force.	Deficit.
Thurman . . . . .	\$ 38,000 00	\$ 31,500 00	\$ 25,000 00	\$ 16,350 00	\$ 8,650 00
Montague . . . . .	76,000 00	76,000 00	60,000 00	20,000 00	40,000 00
Male Dining Hall . . . . .	4,000 00	3,750 00	3,250 00		8,250 00
Carpenter . . . . .	900 00	540 00	500 00		500 00
Cameron . . . . .	9,000 00	7,875 00	7,000 00	7,000 00	
Thompson . . . . .	36,000 00	31,250 00	25,000 00	17,100 00	7,900 00
Brewer . . . . .	28,250 00	23,500 00	20,000 00	13,000 00	7,000 00
Store and Kitchen . . . . .	7,100 00	6,000 00	5,500 00	5,500 00	
Vegetable House . . . . .	650 00	650 00	500 00		500 00
Bakery . . . . .	900 00	675 00	500 00		500 00
Infirmary . . . . .	11,500 00	11,000 00	10,000 00	10,000 00	
Galt House . . . . .	1,000 00	600 00	500 00		500 00
Watch House . . . . .	450 00	450 00	400 00		400 00
Hose House . . . . .	350 00	350 00	300 00		300 00
Engine and Laundry . . . . .	7,652 00	7,100 00	6,000 00	6,050 00	
Power House . . . . .	580 00	580 00	500 00		500 00
Executive . . . . .	13,750 00	13,000 00	11,500 00	9,000 00	2,500 00
Physician's Dwelling . . . . .	3,250 00	1,900 00	1,750 00		1,750 00
Taylor . . . . .	17,500 00	17,000 00	16,000 00	16,000 00	
	\$256,812 00	\$282 720 00	\$194,200 00	\$120,000 00	\$74,250 00

## EASTERN STATE HOSPITAL—FURNITURE AND MACHINERY.

	Value.	Insurance Suggested.	Insurance in Force.	Deficit.
Thurman . . . . .			\$ 800 00	
Montague . . . . .				\$ 500 00
Male Dining Hall . . . . .	\$ 500 00	\$ 500 00		500 00
Carpenter . . . . .				
Cameron . . . . .	1 500 00	1 250 00	999 60	250 40
Thompson . . . . .			1 000 00	
Brewer . . . . .			800 62	
Store and Kitchen . . . . .	4,000 00	4,000 00	1,000 00	3 000 00
Vegetable House . . . . .				
Bakery . . . . .	50 00	50 00		50 00
Infirmary . . . . .	1,000 00	800 00		800 00
Galt House . . . . .				
Watch House . . . . .				
Hose House . . . . .				
Engine and Laundry . . . . .	12,000 00	10 000 00	4,866 00	5 134 00
Power House . . . . .	3,000 00	2,500 00		2,500 00
Executive . . . . .	1,500 00	1,250 00	500 00	750 00
Physician's Dwelling . . . . .				
Dining Room . . . . .	500 00	500 00		
Taylor . . . . .			1,500 00	
Meadow Pump Station . . . . .	1,150 00	900 00		900 00
Cattle . . . . .	1,200 00	1,000 00		1,000 00
Engine House . . . . .	1,071 00	750 00		750 00
	\$27 471 00	\$23,500 00	\$11,466 22	\$15,834 40

## INSURANCE IN FORCE AND DATE OF EXPIRATION.

2 Policies expiring 10th of July, 1904, aggregating . . . . .	\$ 11,800 00
1 " " " 9th of Sept., 1906, . . . . .	8,000 00
1 " " " 10th of July, 1906, . . . . .	24,000 00
6 " " " 6th of Feb., 1907, . . . . .	30,000 00
7 " " " 20th of Apr., 1907, . . . . .	37,000 00
1 " " " 12th of Mch., 1908, . . . . .	20,000 00
21 Policies. Total insurance . . . . .	\$181,466 66

Annual premiums is 1 per cent., or 3 per cent. for five years insurance.  
The cost of carrying the above amount of insurance (\$181,466.66) is about \$3,653.

Respectfully submitted,

L. S. FOSTER,

Supt. E. S. Hospital.

## A STATEMENT

of Insurance on Property of the State of Virginia, at Marion, Smyth county, Virginia.

Buildings—Southwestern State Hospital. Value of same . . . \$150,000 00  
 Amount of insurance . . . . . 100,000 00  
 Amount of premium . . . . . 1,850 00  
 Date of expiration of policies, May 10, 1905. For 3 years.  
 Personal property—Amount of insurance, none on personal property.

(Signed) A. H. GIBBONEY,

January 20, 1904.

Steward.

There is \$1,500 insurance on the three boilers of the Hospital. Expires in about 11 months.

## A STATEMENT

of Insurance on Property of the State of Virginia at Western State Hospital, Staunton, Va.

Buildings—all buildings of the Hospital proper, including residences and those used in the various industrial departments; the barn. Value of same . . . . . \$272,100 00  
 Amount of insurance on buildings of Hospital proper . . . . . 75,000 00  
 Amount of insurance on the barn . . . . . 2,000 00  
 Amount of premium on buildings (rate 3%, for 5 years) . . . . . 2,250 00  
 Amount of premium on barn (rate, 3%, for 5 years) . . . . . 60 00  
 Dates of expiration of policies—on buildings, May 5, 1904; on barn, July 16, 1905.  
 Personal property is included in the buildings containing it, as insured in the above policies. Value . . . . . 84,795 00

(Signed) BENJ. BLACKFORD,

January, 1904.

Superintendent.

N. B.—The last annual report of this Hospital recommended insurance to the amount of \$200,000 on the State property, real and personal.

### A STATEMENT

of Insurance on Property of the State of Virginia, at the Virginia Military  
Institute, Lexington, Va.

Buildings—barracks, mess hall, commissary and bakery, store and treasurer's office, academic building, hospital, labora- tory, 6 professors' houses, 1 frame dwelling. Value of same		\$225,000 00
Amount of insurance . . . . .		124,000 00
Amount of premiums . . . . .		1,673 34
Rate, average 50; 5 year term, 1.50. Most of policies expire July 7, 1905; two, December 18, 1907; a few annually.		
Personal property—contents of library, academic building and stock of goods in store, stock on hand in commissary, furni- ture in mess hall, kitchen and barracks. Value . . . . .		26,000 00
Amount of insurance . . . . .		17,000 00
Amount of premiums . . . . .		320 00
Rate, 50 except on stock of goods in store, which is 95. Most of the policies expire July 10, 1906. That on stock of goods the 1st of January, each year.		

Upon above estimates we think these policies should be increased by  
forty to fifty thousand dollars to fully cover the property. Until within  
last fifteen or twenty years there had been no insurance upon this prop-  
erty. We have increased policies from time to time, as our means allowed.

Respectfully,

SCOTT SHIPP,

January 21, 1904.

Superintendent Va. Military Institute.

## A STATEMENT

of Insurance on Property of the State of Virginia, at University of Virginia,  
Charlottesville, Va.

Buildings—rotunda, academical hall and lecture rooms, physical and mechanical buildings, observatory, laboratories, gymnasium, museum, hospital and students dormitories.

Value of same estimated at . . . . .	1,000,000 00
Amount of insurance . . . . .	194,300 00
Amount of premium . . . . .	2,233 80

Rate, \$11.50 per \$1,000, for 5 years.

Dates of expiration of policies, June 4, September 28, 1904;  
October 25, 1905; March 1, June 26, 1906; June 26, September 3, Nov. 8, Nov. 22, 1907; January 22, September 8, December 9, 1908, as per schedule attached.

Personal property—equipments of laboratories, observatory, museum, gymnasium, etc. Value estimated . . . . .	\$125,000 00
Amount of Insurance . . . . .	86,500 00
Amount of premiums . . . . .	976 70

Rate \$11.50 and \$10.90 per \$1,000, for 5 years, and \$10.00 per \$1,000, for 8 years on steam boiler.

Dates of expiration of policies, same as that on buildings, except the \$10,000 on boilers expires May 3, 1924.

(Signed) THOS. H. CARTER,

January 21, 1904.

Proctor.



## STATEMENT OF INSURANCE ON BUILDINGS AND EQUIPMENT, UNIVERSITY OF VIRGINIA.

Policy No.	Company.	Expires.	Amount.	Premium.
				5 Years.
8000615	Royal Insurance Co . . . . .	June 24, 1904	\$ 5,000 00	\$ 60 00
1858	Hanover Insurance Co . . . . .	June 24, 1904	5,000 00	60 00
181057	Virginia State Insurance Co . . . . .	June 24, 1904	4,000 00	48 00
1198	The Pennsylvania Fire Insurance Co . . . . .	Sept. 28, 1904	2,000 00	20 00
2516587	London and Lancashire Insurance Co . . . . .	Oct. 25, 1905	2,750 00	62 50
1317	The Pennsylvania Insurance Co . . . . .	Oct. 25, 1905	2,750 00	62 50
1378	The Pennsylvania Insurance Co . . . . .	Mch. 1, 1906	5,000 00	60 00
66771	Insurance Company of North America . . . . .	Mch. 1, 1906	5,000 00	60 00
2089671	Firemen's Fund Insurance Co . . . . .	Mch. 1, 1906	5,000 00	60 00
108847	United Fire Insurance Co . . . . .	Mch. 1, 1906	5,000 00	60 00
8845622	Royal Insurance Co . . . . .	June 26, 1906	30,000 00	360 00
176707	Norwich Unions Fire Insurance Society . . . . .	June 26, 1906	25,000 00	300 00
1289	The Pennsylvania Insurance Co . . . . .	June 26, 1906	20,000 00	240 00
15588	German American Insurance Co . . . . .	June 26, 1906	10,000 00	120 00
20215	New York Underwriters Agency . . . . .	June 26, 1906	10,000 00	120 00
2089697	Firemen's Fund Insurance Co . . . . .	June 26, 1906	10,000 00	120 00
1725224	British American Assurance Co . . . . .	June 26, 1906	10,000 00	120 00
1494	Hanover Fire Insurance Co . . . . .	June 26, 1906	10,000 00	120 00
2843188	Scottish Union National Insurance Co . . . . .	June 26, 1906	5,000 00	60 00
2814582	Scottish Union National Insurance Co . . . . .	June 26, 1906	5,000 00	60 00
1084218	The Lion Fire Insurance Co., Limited . . . . .	June 26, 1906	5,000 00	60 00
2058189	London Assurance Corporation . . . . .	June 26, 1906	5,000 00	60 00
5720759	Phoenix Insurance Co . . . . .	June 26, 1907	2,500 00	30 75
556309	Virginia Fire and Marine Insurance Co . . . . .	June 26, 1907	10,000 00	83 06
2007147	Union Assurance Society . . . . .	June 26, 1907	10,000 00	83 06
108	The Rochester and German Insurance Co . . . . .	June 26, 1907	7,500 00	62 31
2089749	Firemen's Fund Insurance Co . . . . .	June 26, 1907	5,000 00	41 54
1041	Saint Paul Insurance Co . . . . .	June 26, 1907	5,000 00	41 54
215580	Virginia State Insurance Co . . . . .	June 26, 1907	5,000 00	41 54
5022	Germania Insurance Co . . . . .	June 26, 1907	10,000 00	83 06
1401	Etna Insurance Co . . . . .	June 26, 1907	10,000 00	83 06
5080	Germania Insurance Co . . . . .	Sept. 8, 1907	1,000 00	22 50
8821504	London and Lancashire Ins. Co. Equip . . . . .	Nov. 8, 1907	2,000 00	21 00
2000521	Firemen's Fund Insurance Co., Equip . . . . .	Nov. 22, 1907	7,500 00	73 75
12105	Niagara Fire Insurance Co., Equip . . . . .	Jan. 22, 1908	5,500 00	66 75
15880	German American Insurance Co . . . . .	Sept. 8, 1908	1,200 00	18 00
1457	The Pennsylvania Insurance Co . . . . .	Dec. 9, 1908	2,000 00	20 00
12410	Hartford Steam Boiler Insurance Co . . . . .	May 8, 1904	10,000 00	100 00
			\$280,700 00	\$2,217 62

Buildings residences and donations, \$194,200 @ \$11.50, for 5 years.  
 Equipment, instruments, etc. . . . . 61,500 @ 11.50, for 5 years.  
 Equipment, instruments, etc. . . . . 15,000 @ 10.90, for 5 years.  
 Steam Boilers . . . . . 10,000 @ 10.00, for 3 years.

## A STATEMENT

Insurance on Property of the State of Virginia,  
the Deaf and the Blind, Staunton.

Buildings—the entire plant. Value of same (approx:  
Amount of insurance . . . . .  
Amount of premium . . . . .  
Rate, 2½%, for 5 years.  
Personal property—value (approximately) . . . . .  
Amount of insurance . . . . .  
Amount of premiums . . . . .  
Rate, 2½%, for 5 years.

(Signed)

January 20, 1904.

N. B.—In addition to the above, two of our boiler  
accident of explosion for three years for \$10,000. For  
three years, 7½%. These boilers are in the Fidelity and  
of New York, and the policy will expire October 1, 1904.

INSURANCE ON THE PLANT OF THE VIRGINIA SCHOOL  
BLIND, STAUNTON, VIRGINIA.

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Name of Company.

London and Lancashire Insurance Co., London and New York . . . . .  
North British and Mercantile, London and Edinburg . . . . .  
Greenwich Insurance Co., New York . . . . .  
German American, New York . . . . .  
Underwriters Policy, New York Agency . . . . .  
Scottish Union of Edinburg . . . . .  
Underwriters Policy, New York Agency . . . . .  
Palatine Insurance Co., London and New York . . . . .  
Queen Insurance Co., New York . . . . .  
Phoenix Insurance Co., Brooklyn . . . . .  
Virginia State Insurance Co., Richmond, Va . . . . .

Total . . . . .

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Special insurance on two boilers against all  
resulting from explosion, in the Fidelity and Cas  
York, for \$10,000, expiring October 1, 1904.

N. B.—On account of the buildings being alm  
stone and the excellent arrangements we have for  
Board of Visitors has thought it wise for the Sta  
of the risk.

**Protection against fire.**—The buildings are provided with fire escapes wherever they are considered necessary. There are three up-to-date fire plugs on the outside of the buildings and ten racks with fire hose distributed on the inside of the buildings—all connected with the city water main and so arranged that water with an excellent force can be turned on in two minutes. As a further precaution against fire, and for the general protection of the premises and the safety of the children, we have a night watchman walking around at all hours of the night.

**Insurance.**—There is a fire insurance on the buildings and furniture of \$42,000, and a policy on two of the boilers of \$10,000, against accident.

W. A. BOWLES,  
Superintendent.

## A STATEMENT

of Insurance on Property of the State of Virginia, at The Virginia Polytechnic Institute, Blacksburg, Va.

Buildings—see list attached. Value of same . . . . .	\$273,150 00
Amount of insurance . . . . .	143,050 00
Amount of premium . . . . .	2,818 65
Rate and dates of expiration of policies, see list.	
Personal property—other than that included with buildings.	
Value . . . . .	38,200 00
Amount of insurance, amount of premiums, rate, dates of expiration of policies—see list.	

(Signed) CHAS. I. WADE,

January 27, 1904.

Treasurer.

## VIRGINIA POLYTECHNIC INSTITUTE,

Treasurer's Office,

Christianburg, Va., January 27, 1904.

Hon. D. Q. Eggleston,

Secretary of the Commonwealth,

Richmond, Va.

Dear Sir:

As requested in your letter of the 18th instant, and in pursuance of the resolution of the Senate of Virginia, attached thereto, I enclose herewith statement of the buildings owned by the State of Virginia, at the Virginia Polytechnic Institute, with the value, amount of insurance, and premiums paid.

Very truly yours,

CHAS. I. WADE,

Treasurer.

**A STATEMENT OF INSURANCE ON PROPERTY OF THE STATE OF VIRGINIA. AT  
THE VIRGINIA POLYTECHNIC INSTITUTE, BLACKSBURG, VA.**

Building.	Value.	Insurance.	Premium.	Rate.	Expiration.
Academic No. 1 . . . . .	\$16,000 00	\$5,000 00	\$ 90 00	\$180 00	March 29, '04
		4,000 00	72 00	"	August 1, '06
		2,500 00	45 00	"	March 29, '04
Academic No. 2 . . . . .	16,000 00	6 500 00	117 00	"	August 1, '06
" cases in same. . . . .		750 00	18 50	"	"
Barracks No. 1 . . . . .	18,000 00	12,000 00	216 00	"	April 12, '04
" " 2 . . . . .	12,000 00	7,500 00	135 00	"	Octob'r 27, '06
" " 3 . . . . .	17,500 00	7,500 00	135 00	"	" 30, '06
" " 4 . . . . .	16,000 00	7,500 00	135 00	"	Dec. 10, '07
Science Hall . . . . .	23,000 00	15,000 00	270 00	"	"
Commandts. house . . . . .	2,000 00	1,500 00	20 25	"	March 29, '04
Old laundry . . . . .	1,000 00	400 00	11 20	"	"
		850 00	9 80	"	Octob'r 2, '04
Camper house . . . . .	1,500 00	750 00	9 00	"	April 5, '04
Forge & Fdry. . . . .	3,750 00	1,500 00	42 00	"	March 29, '04
Machine shops and machinery . . . . .	25,000 00	15,750 00	620 55	"	May 7, '07
Veterinary Inf. and apparatus . . . . .	1,600 00	1,000 00	22 50	"	Octob'r 4, '04
Horticultural Bd. and apparatus . . . . .	4,000 00	2,300 00	41 40	"	April 12, '04
Cannery and machinery . . . . .	8 000 00	1,650 00	37 12	"	August 5, '04
Creamery, Cold Stor. and Fix. . . . .	5,000 00	1,650 00	57 38	"	August 5, '06
Gymnasium . . . . .	1,500 00	1,000 00		"	August 5, '06
Stock Barn No. 1 . . . . .	8,000 00	4,500 00	185 00	3%	Feb'y 21, '05
Barn No. 2 . . . . .	1,600 00	900 00	27 00	"	Nov. 30, '05
Piggery . . . . .	1,400 00	1,000 00	80 00	"	August 12, '06
Dining Hall . . . . .	18,000 00	8,000 00	144 00	"	April 27, '06
Farm houses . . . . .	8,000 00	1 950 00	29 25	1 1/4%	Nov. 30, '05
Six professor's houses . . . . .	18,000 00	7,200 00	54 00	"	August 1, '06
Starkey house . . . . .	600 00	400 00	7 20	"	Feb'y 21, '06
Infirmary . . . . .	7,500 00	3,000 00	22 50	"	April 27, '06
Campbell house . . . . .	2,500 00	1,500 00	11 25	"	"
Pritchard house . . . . .	3 000 00	1,500 00	22 50	"	Nov. 5, '06
Mathews house . . . . .	1,600 00	1,000 00	15 00	"	"
Presidents house . . . . .	11,500 00	7,500 00	78 75	"	April 12, '07
Alwood " . . . . .	4,000 00	3,000 00	36 00	"	Nov. 5, '07
Parrott " . . . . .	3,000 00	1,600 00	22 50	"	Dec. 10, '07
Hoge " . . . . .	4,000 00	2,000 00	30 00	"	Octob'r 19, '06
Lee Cottage . . . . .	1,100 00	600 00	9 00	"	" 14, '07
Laundry and Tailor shop . . . . .	3,500 00	1,500 00	45 00	"	Nov. 12, '06
Boilers, Engines and Dynamos . . . . .	21,000 00	21,000 00	210 00	"	Sept. 15, '06
		3 122 50	38 20	"	May 5, '06
		2,122 50	38 20	"	"
Ordinance and Ord. stores . . . . .	8,482 00	2,887 50	43 98	"	March 3, '06
		1,796 50	32 32	"	June 6, '06

Total value of buildings, machinery and fixtures . . . . .	\$273,150 00
Amount of insurance . . . . .	143,050 00
Amount of premium . . . . .	2,818 65
Boilers . . . . .	21,000 00
Amount of premium . . . . .	210 00
Personal property, ordnance and ordnance stores . . . . .	8,428 00
Value . . . . .	8,428 00
Amount of insurance (required by U.S. Government) . . . . .	8,428 00
Amount of premium . . . . .	151 00
Value of all other personal property . . . . .	38,200 00

Balance to  
U.S. Government

**CHAS. I. WADE,**

January 27, 1904.

Treasurer.

All policies run for 5 years except on the boilers, which are for 3 years.

## A STATEMENT

of Insurance on Property of the State of Virginia, at State Female Normal School, Farmville, Va.

Buildings—value of same . . . . .	\$90,000 00
Amount of insurance . . . . .	50,000 00
Amount of premium (am't per annum, for 5 years) . . . . .	265 50

Rate,  $\frac{1}{2}\%$ .

## Dates of expiration of policies :

\$ 4,000	expires in 1904
24,500	" " 1905
10,000	" " 1906
4,500	" " 1907
16,000	" " 1908

Personal property—State Female Normal School. Value . . .	8,000 00
Amount of insurance . . . . .	4,000 00
Amount of premium (per annum for 5 years) . . . . .	18 00

Rate,  $\frac{1}{2}\%$ .

## Dates of expiration of policies :

\$ 2,000	expires in 1904
2,000	" " 1908

(Signed) J. L. JARMAN,  
President.

January, 1904.

D. Q. Eggleston, Esq.,  
 Secretary of the Commonwealth,  
 Richmond, Va.

My Dear Sir:

Referring to yours relative to the insurance upon the Virginia Normal and Industrial Institute, I hand you herewith an itemized statement showing the names of the companies, the amount, the expiration of policy, and the premiums paid thereon. I am directed by the Board of Visitors to state that the insurance carried is wholly inadequate. The value of the State's holdings upon the grounds of the Virginia Normal and Industrial Institute we estimate at \$160,000. You will note that the Board has no insurance upon the personal property contained in the building. In the judgment of the Board as much insurance is carried as it is possible to carry out of the small amount of funds at the disposal of the Board.

If there is any other information which you desire in connection with this matter, I shall be pleased to furnish it.

Very truly yours,

JOHN D. WATKINS,  
 Secretary.

List of policies of insurance in force upon the Virginia Normal and Industrial Institute, belonging to the State of Virginia, and situate near the city of Petersburg, together with the premiums paid thereon, etc.

Name of Company	Amount	Term of Policy	Expires	Premium
Scottish Union and National Insurance Company of Edinburgh . . . . .	\$1,884 00	8 years	July 2, 1906	\$ 25 65
Underwriters Policy . . . . .	2,000 00	8 "	Jan. 1, 1906	40 00
Virginia State Insurance Company . . . . .	2,000 00	8 "	Jan. 1, 1906	40 00
Home Insurance Company . . . . .	2,000 00	8 "	Jan. 1, 1906	40 00
Underwriters Policy . . . . .	1,384 00	8 "	July 2, 1906	26 65
Westchester Fire Insurance Company . . . . .	2,000 00	5 "	Nov. 11, 1904	60 00
American Fire Insurance Company . . . . .	4,000 00	5 "	Nov. 11, 1904	120 00
Petersburg Savings and Insurance Co . . . . .	6,000 00	5 "	Nov. 11, 1904	180 00
Phoenix Co . . . . .	2,000 00	5 "	Nov. 11, 1904	60 00
Royal Insurance Company . . . . .	2,000 00	5 "	Nov. 11, 1904	60 00
London and Lancashire Fire Ins. Co . . . . .	1,384 00	5 "	July 2, 1906	40 00
Liverpool & London & Globe Ins. Co . . . . .	8,000 00	5 "	Nov. 11, 1904	240 00
Glens Falls Insurance Company . . . . .	2,000 00	5 "	Nov. 11, 1904	60 00
The Delaware Insurance Company . . . . .	4,000 00	5 "	Nov. 11, 1904	120 00
The Phoenix Insurance Company . . . . .	1,600 00	8 "	Sept. 30, 1906	23 00
The Hartford Steam Boiler Inspection Insurance Company . . . . .	10,000 00	8 "	July 8, 1906	100 00
	\$61,602 00			\$1,345 35

Respectfully submitted,

JOHN D. WATKINS,  
 Secy. Board of Visitors, V. N. & I. I.

**A Statement of Insurance on Property of the State of Virginia.**

Estimated Value.	Amount of Insurance.	Premium.	Rate.	Expiration of Policies.
Buildings and Property at the seat of Government at Richmond, Va. Steam Boiler at Capitol Building Steam Boiler at State Library Building On Capitol Building and Boilers and Attachments, and Elevator and Attachments On Capitol Building and Boilers and Attachments, and Elevator and Attachments On Capitol Building, Furniture, Pictures, Stove and Statues On Furniture and Household Goods in Executive Mansion On Executive Mansion On Book Pamplets, Manuscripts, Portraits, etc., State Library Books, Codes, Reports, etc., in Capitol Building.	\$ 5,000 00 10,000 00 35,000 00 10,000 00 30,000 00 10,000 00 8,000 00 7,500 00 42,800 00 20,000 00	\$ 50 00 100 00 487 00 195 00 785 00 80 00 30 00 56 25 510 00 280 00	..... ..... ..... ..... ..... ..... ..... ..... ..... .....	October 25, 1904. October 23, 1904. October 31, 1905. November 1, 1905. November 1, 1905. April 12, 1905. April 26, 1905. March 28, 1904. July 20, 1905. July 5, 1905.
Penitentiary Buildings: Shoe Shops Two Dwellings Dwelling (Farm) Barn (Farm)	71,250 00 7,287 00 1,000 00 8,000 00	540 00 8 00 4 00 15 75	\$ 90 15 66% 1 05	April 4, 1904. February 10, 1905. April 24, 1904. February 10, 1905.
Personal Property: Supplies in Store Boilers (3)	10,000 00 2,500 00	187 50 35 00	1 87% 1 00	February 21, 1904. April 13, 1904.
Central State Hospital: 13 Brick Buildings and 17 Frame Buildings Steam Boilers Furniture, Bedding, Clothing, Stores, etc.	134 625 00 20,000 00 20,375 00	4,442 62 200 00 672 88	1 10 ..... 1 10	January 4, 1905, on buildings. November 12, 1905, on boilers. January 4, 1905.
Eastern State Hospital: Buildings	120,000 00 11,465 22	8,653 00	.....	July 10, 1904, 2 policies, \$11,800 00. September 9, 1904, 1 policy, 8,000 00. July 10, 1905, 4 policies, 24,000 00. February 6, 1907, 6 policies, 80,000 00. April 20, 1907, 7 policies, 87,000 00. March 12, 1906, 1 policy, 20,000 00.
Southwestern State Hospital: Buildings Boilers at Hospital	150,000 00 1,500 00	1,850 00	.....	May 10, 1905. December, 1904.



## A STATEMENT OF INSURANCE ON PROPERTY OF THE STATE OF VIRGINIA—CONTINUED.

	Estimated Value.	Amount of Insurance.	Premium.	Rate.	Expiration of Policies.
Western State Hospital:					
Hospital and all Buildings . . . . .	\$ 273,140 00	\$ 75,000 00	\$ 2,260 00	3%	{ May 5, 1904.
Barn . . . . .		2,000 00	60 00		{ July 16, 1903.
Personal Property . . . . .	81,796 00				
Virginia Military Institute:					
Buildings . . . . .	225,000 00	124,000 00	1,673 34	50	{ July 7, 1906, most of policies.
					{ December 18, 1907, 3 policies.
					{ A few annually.
Personal Property of all kinds . . . . .	26,000 00	17,000 00	820 10	50 95	{ July 10, 1904, most of policies.
					{ January 1st, each year, stock of goods.
University of Virginia:					
Buildings of all kinds . . . . .	1,000,000 00	194,200 00	2,323 80	\$11.50 per M	{ June 4, 1904, September 28, 1904.
					{ October 25, 1903, March 1, 1906.
					{ June 26, 1903, June 26, 1907.
					{ September 3, 1907, Nov. 8 and 24, 1907.
					{ January 22, 1903, September 8, 1903.
					{ December 9, 1903.
Personal Property . . . . .	125,000 00	70,500 00	976 70	{ \$11.50 and \$10.50 per M, and \$10.00 per M on Boilers.	{ Same as on buildings.
Steam Boiler . . . . .					
Virginia School for the Deaf and the Blind:					
Buildings . . . . .	100,000 00	83,100 00	722 26	2 1/2 %	{ December 22, 1905, December 30, 1907.
Personal Property . . . . .	16,000 00	9,900 00	222 76		{ December 27, 1907, October 22, 1908.
Steam Boilers . . . . .		10,000 00	75 00		{ October 1, 1904.
State Female Normal School:					
Buildings . . . . .	90,000 00	59,000 00	265 50	%	{ 1904, \$ 4,000 00.
					{ 1905, 24,800 00.
					{ 1906, 10,500 00.
					{ 1907, 14,500 00.
					{ 1908, 16,000 00.
Personal Property . . . . .	8,000 00	4,000 00	18 00	%	{ 1904, 2,000 00.
					{ 1905, 2,000 00.

## The Virginia Polytechnic Institute:

Buildings . . . . . \$ 278,150 00 }  
 Personal Property . . . . . 88,200 00 }

\$ 2,818 65

\$ 148,050 00

March 29, 1904, \$10,000 00.  
 April 5, 1904, 750 00.  
 April 12, 1904, 14,800 00.  
 August 5, 1904, 1,650 00.  
 October 2, 1904, 1,000 00.  
 October 4, 1904, 1,000 00.  
 February 21, 1905, 4,900 00.  
 June 6, 19 5, 1,798 50.  
 November 5, 1905, 2,850 00.  
 November 20, 1905, 2,850 00.  
 August 12, 1906, 1,000 00.  
 April 27, 1906, 12,500 00.  
 August 1, 1906, 18,450 00.  
 August 5, 1906, 9,550 00.  
 September 15, 1906, 21,000 00.  
 October 27, 1906, 7,500 00.  
 October 30, 1906, 7,500 00.  
 April 12, 1907, 7,500 00.  
 May 7, 1907, 15,760 00.  
 October 14, 1907, 600 00.  
 November 5, 1907, 8,000 00.  
 December 10, 1907, 34,000 00.  
 March 8, 1908, 2,887 50.  
 May 6, 1908, 4,345 00.  
 October 19, 1908, 2,000 00.  
 November 12, 1908, 1,500 00.

November 11, 1904, \$80,000 00.  
 July 2, 1905, 1,884 00.  
 January 1, 1906, 6,000 00.  
 July 2, 1906, 2,668 00.  
 September 30, 1906, 1,600 00.  
 July 8, 1906.

\$35,621 99

565 00

\$35,056 99

1,145 88

100 00

\$ 1,245 88

\$36,887 82

665 00

\$26,203 82

\*Received after statement made of.



# INDEX.

<b>ACCESSORIES AFTER THE FACT.</b>		Read first time,	42
H. B. 88. To amend section 3885		Read second time and engrossed,	44
of Code so as to punish, commu-		Read third time, amended by	
nicated and referred,	183	unanimous consent and passed,	47
Reported,	336	Passed House,	102
		Signed,	106
<b>ACCOMAC AND NORTHAMPTON COUNTIES.</b>		<b>ALBEMARLE COUNTY.</b>	
S. B. 203. For the protection of		H. B. 243. To authorize an appro-	
pheasants in, presented and re-		priation by, communicated and	
ferred,	198	referred,	427
Reported,	283	Committee discharged, constitu-	
Constitutional readings dispensed		tional reading dispensed with	
with, engrossed and passed,	354	and passed,	469
Passed House,	474	Signed,	512
Signed,	535	H. B. 211. To amend road law of,	
H. B. 129. To prohibit fishing		communicated and referred,	372
with pound nets in, communi-		Committee discharged, constitu-	
cated and referred,	478	tional reading dispensed with	
		and passed,	372
		Signed,	441
<b>ACTS OF ASSEMBLY.</b>		<b>AMHERST COUNTY.</b>	
H. B. 62. To repeal chapter 630		H. B. 233. To amend road law of,	
of the, session 1893-4, communi-		communicated and referred,	482
cated and referred,	167	Committee discharged, constitu-	
Reported,	265	tional reading dispensed with	
Read first time,	323	and passed,	482
Read second time,	389	Signed,	543
Read third time and passed,	435		
Signed,	538		
H. B. 59. To repeal chapter 817		<b>APPOMATTOX COUNTY.</b>	
of the, session 1897-8, communi-		S. B. 271. To change terms of	
cated and referred,	167	courts of, presented and re-	
Reported,	265	ferred,	308
Read first time,	322	H. B. 75. To provide a new road	
Read second time,	388	law for, communicated and re-	
Read third time, and passed,	432	ferred,	182
Signed,	533	Reported,	267
S. B. 41. To authorize publication		Read first time,	322
in the, of list of corporations		Read second time and amended,	389
doing business in State, pre-		Read third time and passed,	415
sented and referred,	43	House refused to concur in Senate	
		substitute, Senate insists and	
		asks for conference,	436
<b>ADULTERATED AND UNBRANDED FOODS.</b>		House agrees to conference and	
S. B. 1. To prescribe duties of		committee appointed,	440
judges in relation to law pro-		Conference report, presented and	
hibiting sale of, presented and		adopted,	440
referred,	19	Adopted by House,	445
Reported,	32	Signed,	534

# APPORTIONMENT OF REPRESENTATIVES IN CONGRESS.

S. B. 84. To amend section 50 of Code in relation to the, presented and referred,	82
Reported,	146
Read first time,	174
Read second time, amended and engrossed,	272
Read third time and passed,	291

# APPRAISERS OF ESTATES, GUARDIANS, CURATORS, ETC.

S. B. 71. To amend an act in relation to appointment of, presented and referred,	69
Reported,	72
Read first time,	90
Read second time, amendments proposed and recommitted,	95
Reported,	220
Amendment rejected and engrossed,	279
Read third time and passed,	326
Passed House,	518
Signed,	512

# APPROPRIATING THE PUBLIC REVENUE.

H. B. 127. For the two fiscal years ending February 28, 1906, communicated and referred,	282
Reported and made special order,	314
Constitutional reading dispensed with,	385
Amended,	387
Amended and passed,	395
House refused to concur in Senate amendments,	399
Senate insists upon its amendments and asks for conference, House agrees to conference, committee appointed,	400
Conference report presented and adopted, adopted by House,	438
Signed,	528

# ASSESSMENT OF LANDS AND LOTS.

H. B. 277. To amend section 443 of Code in relation to, communicated and referred,	523
Committee discharged, constitutional reading dispensed with and passed,	524
Signed,	547
S. B. 169. To amend section 444 of Code in relation to, presented and referred,	169
Reported,	218
Read first time,	246

Read second time and engrossed,	262
Read third time and passed,	276
Passed House,	474
Signed,	546

# ATTACHMENTS.

H. B. 4. To amend section 2967 of Code in relation to, communicated, read first time and referred,	46
Reported,	86
Read second time and amended,	94
Read third time and passed,	99
House agreed to Senate amendments,	105
Signed,	158

# ATTORNEY'S LIEN.

S. B. 39. To prescribe the right to an, in certain cases, presented and referred,	43
Reported,	241
Read first time,	263
Read second time, amended and engrossed,	280
Read third time and passed,	327
Passed House,	518
Signed,	535

# AUDITOR OF PUBLIC ACCOUNTS.

Morton Marye nominated and elected,	22
Resolution calling on the, for estimated receipts and expenditures for 1904-5, presented and agreed to,	94
Communication from the, in reference to estimated receipts and expenditures,	117
House joint resolution directing the, to furnish statement of amount embezzled by Joseph H. Shepard, communicated and referred,	190
Joint resolution asking the, for information as to money paid to counties, presented and agreed to,	494
Agreed to by House,	498
Resolution calling on the, for certain information, presented and agreed to,	492
Resolution calling on the, for itemized statements of debts due the State, presented and agreed to,	430

# BALTIMORE (CITY OF).

House joint resolution of sympathy for the citizens of the, presented and agreed to,	102
Agreed to by House,	105

**BARKSDALE, W. P.**

Leave of absence granted, 98

**BATTLESHIP VIRGINIA.**

S. B. 237. To appropriate money for silver service for, presented and referred, 256

**BAYLOR SURVEY.**

H. B. 35. To define and determine the oyster beds and shoals in the, communicated and referred, 145  
Reported, 220  
Read first time, 245

**BEDFORD CITY.**

S. B. 225. To amend charter of, presented and referred, 235  
Reported from joint committee and referred, 269  
Committee discharged, 336  
Read first time, 392  
Constitutional reading dispensed with, engrossed and passed, 403  
Passed House, 520  
Signed, 537

**BERRYVILLE (TOWN OF).**

H. B. 275. To empower council of the, to borrow money, communicated and referred, 446  
Committee discharged, constitutional reading dispensed with and passed, 466  
Signed, 542

**BILLS.**

Resolution providing that no, be introduced after March 5th, presented and agreed to, 272  
House joint resolution in relation to passage of, communicated and amended, agreed to, 429

**BILLS OF EXCEPTIONS.**

H. B. 177. To amend section 3385 of Code in relation to, communicated and referred, 369  
Reported, 429

**BLACKSBURG (TOWN OF).**

S. B. 262. To allow the, to donate money for school building, presented and referred, 295  
Reported from joint committee and referred, 315  
Committee discharged, constitutional reading dispensed with, engrossed and passed, 457

Passed House, 521  
Signed, 547

**BLAND COUNTY.**

H. B. 27. Authorizing supervisors of, to contribute to monument, communicated and referred, 75  
Reported, 376

**BOARD OF FISHERIES.**

Joint resolution directing the, to obtain certain information in relation to the resurvey of the oyster beds, presented, 19  
Laid on the table, 24  
S. B. 246. To extend the powers of the, presented and referred, 273  
Reported, 284  
Constitutional reading dispensed with, engrossed and passed, 356  
H. B. 23. To amend an act authorizing the, to employ a surveyor, communicated and referred, 79  
Reported, 284  
Read first time, 322  
Read second time and amended, 390  
Read third time and amended and passed, 439  
House agreed to Senate amendments, 518  
Signed, 541  
S. B. 200. To authorize the, to procure list of persons renting oyster ground, presented and referred, 198  
Reported, 283  
Constitutional reading dispensed with, engrossed and passed, 355  
Passed House, 522  
Signed, 540

**BOARD OF SUPERVISORS.**

H. B. 52. To authorize, to contribute to erection of Confederate monuments, communicated and referred, 115  
Reported, 376  
S. B. 228. To prescribe jurisdiction of, in relation to county roads, presented and referred, 238  
Reported, 290  
Constitutional reading dispensed with, 354  
Passed, 399  
Rejected by House, 522

**BOARDS OF SUPERVISORS AND COUNCILS.**

H. B. 221. Requiring the, to check up assessments with the Corpo-

ration Commission, communicated and referred, 480

### BOND TOWN.

S. B. 811. To amend the charter of the town of, presented and referred, 176

Reported from joint committee and referred, 192

### BOTETOURT COUNTY.

H. B. 16. To amend an act authorizing supervisors of, to aid in erection of monument, communicated and referred, 59

Reported, 81

Read first time, 89

Read second time, 94

Read third time and passed, 99

Signed, 157

### BOTETOURT ARTILLERY.

S. B. 167. Appointing commission to delineate position of the, in battle of Vicksburg, presented and referred, 168

H. B. 182. To appoint commission to delineate position of the, in battle of Vicksburg, communicated and referred, 369

Reported, 374

### BRISTOL (CITY OF).

S. B. 8. To amend charter of the, presented and referred, 26

Reported from joint committee and referred, 33

Reported, 68

Read first time, 74

Read second time, amended and engrossed, 90

Read third time and passed, 93

Passed House, 282

Signed, 312

S. B. 174. To authorize the, to make additional issue of bonds, presented and referred, 169

Reported from joint committee and referred, 193

Reported, 289

Constitutional reading dispensed with, engrossed and passed, 311

Passed House, 474

Signed, 541

S. B. 280. To amend charter of the, presented and referred, 338

Reported from joint committee and referred, 394

S. B. 207. To amend charter of the, presented and referred, 199

Reported from joint committee and referred, 268

Reported, 290

Constitutional reading dispensed with and engrossed, 353

Read third time and passed, 380

Passed House, 520

Signed, 536

S. B. 248. To legalize issue of bonds by the, presented and referred, 278

Reported from joint committee and referred, 314

Reported, 376

Read first time, 392

Constitutional reading dispensed with, engrossed and passed, 421

Passed House, 520

Signed, 543

### BROWNLOW BILL.

Joint resolution instructing representatives in Congress to vote for the, presented and referred, 62

### BROWNLOW AND LATIMER BILLS.

Joint resolution in reference to the, presented and referred, 148

### BRYAN, HON. WILLIAM JENNINGS.

House joint resolution inviting, to address the General Assembly, communicated, amended and agreed to,

House agreed to Senate amendments, committee appointed, 187

Privileges of the floor extended to, 189

### BUCKINGHAM COUNTY.

S. B. 66. To amend game laws so far as they apply to, presented and referred, 69

Reported from joint committee and referred, 82

H. B. 165. To provide road law for, communicated and referred, 302

Committee discharged, 335

Read first time, 391

Constitutional reading dispensed with and passed, 458

Signed, 542

### BUENA VISTA (CITY OF).

S. B. 182. To submit to voters of the, question of dispensary, presented and referred, 176

Reported from joint committee and referred, 268

**BUILDING AND LOAN ASSOCIATIONS.**

H. B. 66. To amend an act defining powers of, communicated and referred, 168

**BUREAU OF LABOR AND INDUSTRIAL STATISTICS.**

H. B. 63. To amend section 4 of an act creating the, communicated and referred, 116  
Reported, 156  
Read first time, 174  
Read second time, 178  
Read third time and rejected, 240  
S. B. 268. To amend an act creating the, presented and referred, 305  
Reported, 386

**BURIAL OF ANIMALS OR FOWLS.**

H. B. 65. To amend section 2197 of Code so as to require cremation of, dying from contagious diseases, communicated and referred, 168  
Committee discharged, constitutional reading dispensed with, amended and rejected, 419  
Motion to reconsider passed by, 420  
Reconsidered, amended and passed, 459  
House agreed to Senate amendments, 517  
Signed, 546

**BURYING DEAD HUMAN BODIES.**

S. B. 137. Prohibiting the, within 200 feet of any lake, etc., presented and referred, 134  
Reported, 266  
Constitutional reading dispensed with and passed by, 329  
Engrossed and passed, 347

**BUTTON, JOSEPH.**

Leave of absence granted, 31  
Resolutions of sympathy for, presented and agreed to, 43

**CALENDARS.**

Resolution directing clerk to prepare, presented and agreed to, 19

**CAMPBELL COUNTY.**

H. B. 21. To provide a new road law for, communicated and referred, 67  
H. B. 210. To provide new road law for, communicated and referred, 371

Committee discharged, constitutional reading dispensed with and passed, 372  
Signed, 442  
S. B. 288. To repeal an act requiring fish ladders in Goose creek in, presented and referred, 393  
Committee discharged, constitutional reading dispensed with, engrossed and passed, 425  
Passed House, 521  
Signed, 540

**CAMPBELL, J. LAWRENCE.**

Leave of absence granted, 44

**CANALS OR RAILWAYS.**

S. B. 172. To punish for maliciously obstructing, presented and referred, 169

**CANALS, RAILROADS OR OTHER TRANSPORTATION COMPANIES.**

S. B. 112. To amend section 3725 of Code in relation to injuring, presented and referred, 103

**CAPE CHARLES (TOWN OF).**

H. B. 193. To amend charter of the, communicated and referred, 370

**CAPITOL.**

S. B. 7. To appropriate two hundred and fifty thousand dollars for the enlargement of the, presented and referred, 21  
Reported and ordered printed, 92  
Read first time, 101  
Read second time, amended and engrossed, 111  
Motion to reconsider ruled out of order, 118  
Read third time and passed, by, 127  
Passed, 197  
Passed House, 298  
Signed, 311

**CAPITOL COMMISSION.**

Chair appointed the members of the, on part of Senate, 397

**CAROLINE COUNTY.**

H. B. 74. For working roads in, communicated and referred, 182  
Committee discharged, constitutional reading dispensed with and passed, 194  
Signed, 254



H. B. 162. To authorize supervisors of, to levy capitation tax, communicated and referred,	302
Committee discharged, constitutional reading dispensed with and passed,	380
Signed,	441
H. B. 161. To authorize, to erect monument, communicated and referred,	302
Read first time,	391
Constitutional reading dispensed with and passed,	424
Signed,	536

## CEDAR BLUFF (TOWN OF).

H. B. 13. To incorporate the, communicated and referred,	59
Reported,	140
Constitutional reading dispensed with and passed,	150
Signed,	225

## CEMETERIES.

S. B. 51. In relation to, presented and referred,	55
Reported,	62
Read first time,	65
Read second time, amended and engrossed,	71
Read third time and passed,	73
Passed House,	102
Signed,	106

## CERTIFICATES OF ACKNOWLEDGMENTS.

S. B. 214. To amend section 2500 of Code in relation to, presented and referred,	204
Reported,	241
Read first time,	263
Read second time, amended and engrossed,	280
Read third time and passed,	327
Passed House,	519
Signed,	542

## CHAIN GANGS.

S. B. 222. To amend section 3932 of Code in relation to, presented and referred,	224
Reported,	286
Read first time,	352
Read second time and engrossed,	391
Read third time and passed,	443

## CHANCERY CAUSES.

S. B. 63. In relation to, presented and referred,	68
---	----

S. B. 15. To amend section 3427 of Code in relation to, presented and referred,	30
Reported, constitutional reading dispensed with, amended, engrossed and passed,	253
Passed House,	518
Signed,	541
H. B. 234. To provide a road law for, communicated and referred,	523
Committee discharged, constitutional reading dispensed with and passed,	525
Signed,	548

## CHARTER FEES.

H. B. 197. Concerning, upon amendments to charters, communicated and referred,	479
--	-----

## CHARLOTTESVILLE (CITY OF).

H. B. 32. In relation to school trustees of, communicated and referred,	75
Reported,	97
Read first time,	104
Read second time,	110
Read third time and passed,	119
Signed,	157

## CHARLOTTESVILLE (CITY OF).

H. B. 219. To authorize the, to close certain streets, communicated and referred,	373
Committee discharged, constitutional reading dispensed with and passed,	373
Signed,	442

## CHASE CITY (TOWN OF).

H. B. 9. To legalize an election held in, communicated and referred,	53
Reported,	68
Read first time,	73
Constitutional reading dispensed with and passed,	83
Signed,	97
H. B. 50. In relation to street mileage in the, communicated and referred,	115
Reported from joint committee and referred,	290
Reported,	336
Read first time,	391
Constitutional reading dispensed with and passed,	411
Signed,	536

CHATHAM (TOWN OF).

S. B. 216. To establish a dispensary in the, presented and referred,	221
Reported,	270
Constitutional reading dispensed with, amended, engrossed and passed,	287

CHESTERFIELD COUNTY.

S. B. 281. To validate certain records of, presented and referred,	338
Joint committee discharged and referred,	338
Committee discharged, constitutional reading dispensed with, engrossed and passed,	338
Passed House,	475
Signed,	546

CHILDREN.

S. B. 267. To provide places of abode for, who are mistreated, presented and referred,	305
Reported,	386

CIRCUIT COURT OF NORFOLK CITY.

S. B. 49. Providing additional terms of the, presented and referred,	50
Committee discharged, constitutional reading dispensed with, engrossed and passed,	51
Passed House,	74
Signed,	76

CIRCUIT COURTS.

S. B. 70. To authorize judges of, in cities of over 40,000 population to make allowance to clerks, presented and referred,	69
Reported,	72
Read first time,	90
Read second time and engrossed,	95
Read third time and passed,	100
Passed House,	161
Signed,	225
S. B. 93. To amend an act vesting in the, powers now possessed by county courts, presented and referred,	87
Committee discharged, constitutional reading dispensed with, engrossed and passed,	87
Passed House,	102
Signed,	106

CITIES.

H. B. 147. To amend an act in relation to changing boundaries of wards in, communicated and referred,	301
Reported,	377
Constitutional reading dispensed with and passed,	409
Signed,	492

CITY OFFICERS.

S. B. 21. To extend terms of, presented and referred,	31
Reported,	140
Read first time,	154
Read second time,	173
Constitutional reading dispensed with, amended, engrossed and passed,	209

CLAIMS AGAINST THE COMMON-WEALTH.

S. B. 145. To amend section 746 of Code in regard to, presented and referred,	141
Committee discharged,	163
Read first time,	175
Read second time and engrossed,	178
Read third time and passed by,	210
Passed,	229

CLERKS OF COURTS.

S. B. 1. To amend an act in relation to duties of, presented and referred,	21
Communicated from Clerk of House in relation to reports of, communicated and printed,	19

CLERK OF THE SENATE.

Report of committee to investigate office of the, presented,	533
--	-----

CLIFTON FORGE (TOWN OF).

H. B. 22. To amend charter of the, communicated and referred,	67
Reported,	81
Read first time,	89
Read second time,	94
Read third time and passed,	109
Signed,	156

COCAINE.

S. B. 19. To regulate sale of, presented and referred,	31
Reported,	81
Read first time,	90
Read second time; amended and engrossed,	95
Read third time and passed,	100
Passed House, amended,	497

## CODE OF VIRGINIA.

S. B. 14. To amend sections 2903-4 of the, presented and referred,	29	S. B. 157. To amend section 62 of the, presented and referred,	155
Reported and substitute ordered printed,	121	Committee discharged,	155
Read first time,	153	Read first time,	175
Read second time, amended and engrossed,	160	Read second time and passed by,	179
Read third time and passed,	163	Constitutional reading dispensed with, engrossed and passed,	211
Passed House,	298	Passed House, amended,	427
Signed,	320	Senate concurred in House amendments,	427
S. B. 29. To repeal section 2105 of the, presented and referred,	37	Signed,	512
S. B. 31. To amend section 3813 of the, presented and referred,	38	H. B. 113. To repeal section 2507 of the, communicated and referred,	184
Reported,	191	Reported,	236
Read first time,	216	Indefinitely postponed,	245
Read second time and passed by,	263	S. B. 191. To amend section 3500 of the, presented and referred,	195
S. B. 61. To amend section 603 of the, presented and referred,	65	H. B. 142. To amend section 2291 of the, communicated and referred,	301
Reported,	218	H. B. 164. To amend section 3706 of the, communicated and referred,	302
Constitutional reading dispensed with, engrossed and passed,	243	H. B. 180. To amend section 3111 of the, communicated and referred,	303
S. B. 132. To amend section 998 of the, presented and referred,	127	Reported,	336
Reported,	147	Read first time,	391
Read first time,	159	H. B. 114. To amend section 3630 of the, communicated and referred,	333
Recommitted,	171	Reported,	429
Reported,	191	H. B. 57. To repeal sections 1334-5-6 of the, communicated and referred,	167
Substitute read,	210	Reported,	253
S. B. 136. To amend section 2261 of the, presented and referred,	129	Read first time,	281
S. B. 119. To amend section 3426 of the, presented and referred,	106	Read second time,	388
S. B. 97. To amend section 3455 of the, presented and referred,	88	Read third time and passed,	431
Reported,	236	Signed,	537
Read first time,	246	H. B. 56. To repeal sections 1295-6-7 of the, communicated and referred,	167
Read second time and passed by,	262	Reported,	253
Amended,	497	Read first time,	281
Engrossed, constitutional reading dispensed with and passed,	498	Read second time,	388
S. B. 146. To amend section 3426 of the, presented and referred,	141	Read third time and passed,	431
S. B. 159. To amend section 907 of the, presented and referred,	160	Signed,	545
H. B. 10. To amend section 3500 of the, communicated and referred,	125	H. B. 110. To amend section 3888 of the, how attempts to commit offences punished, communicated and referred,	369
Reported,	186	S. B. 279. To amend section 1271 of the, presented and referred,	331
Read first time,	213	Reported,	334
Read second time and amended,	241	Read first time,	392
Read third time and passed,	297	Constitutional reading dispensed with, amended, engrossed and passed,	463
S. B. 215. To amend section 1416 of the, presented and referred,	221	Passed House, amended,	509
Committee discharged, constitutional reading dispensed with, engrossed and passed,	318		
Passed House,	475		
Signed,	536		

Senate agreed to House amend- ment,	523	tional reading dispensed with, amended, engrossed and passed,	317
Signed,	548	Passed House,	519
S. B. 229. To amend sub-section 6 of section 185 of the, present- ed and referred,	239	Signed,	535
Reported,	270	S. B. 227. To amend section 832 of the, presented and referred,	238
Constitutional reading dispensed with, amended, engrossed and passed,	288	Reported,	290
Passed House,	473	Constitutional reading dispensed with, engrossed and passed,	359
Signed,	527	Passed House,	519
S. B. 53. To amend section 3049 of the, presented and referred,	55	Signed,	535
Reported,	121	S. B. 103. To amend section 3768 of the, presented and referred,	93
Read first time,	153	Reported,	220
Read second time,	164	Read first time,	246
Substitute adopted and engrossed,	171	Read second time and engrossed,	262
Read third time and passed,	176	Read third time and passed,	276
Rejected by House,	522	Passed House,	519
S. B. 226. To amend section 826 of the, presented and referred,	238	Signed,	540
Reported,	290	S. B. 155. To amend section 4036 of the, presented and referred,	148
Constitutional reading dispensed with, amended, engrossed and passed,	346	Reported,	203
Rejected by House,	522	Read first time,	226
S. B. 287. To amend section 3214 of the, presented and referred,	393	Read second time and engrossed,	263
Reported,	429	Read third time and passed,	277
Constitutional reading dispensed with, engrossed and passed,	467	Passed House,	519
Passed House,	521	Signed,	541
Signed,	545	H. B. 179. To amend section 3049 of the, communicated and re- ferred,	369
H. B. 58. To repeal sections 1304- 5-9 of the, communicated and referred,	167	Reported,	387
Reported,	254	Read first time,	392
Read first time,	281	Constitutional reading dispensed with, amended and passed,	472
Read second time,	388	House agreed to Senate amend- ments,	517
Read third time and passed,	431	Signed,	543
Signed,	528	H. B. 181. To amend section 1670 of the, communicated and re- ferred,	303
S. B. 284. To amend section 2716 of the, presented and referred,	348	Reported and referred,	376
Reported,	386	Reported,	376
Read first time,	393	Constitutional reading dispensed with, amended and passed,	461
Constitutional reading dispensed with, engrossed and passed,	406	House agreed to Senate amend- ments,	518
Passed House,	521	Signed,	542
Signed,	541	H. B. 175. To amend section 723 of the, communicated and re- ferred,	303
H. B. 61. To repeal sections 1106 to 1153 inclusive, of the, com- municated and referred,	167	Reported,	336
Reported,	265	Read first time,	391
Read first time,	322	Constitutional reading dispensed with and passed,	513
Read second time,	388	Signed,	547
Read third time and passed,	432	H. B. 96. To amend section 3804 of the, communicated and re- ferred,	251
Signed,	541	Reported,	285
S. B. 260. To amend section 2935 of the, presented and referred,	295	Read first time,	323
Committee discharged, constitu-			

Motion to indefinitely postpone rejected,	444	to 1294 inclusive of the, com- municated and referred,	161
Read third time and passed,	496	Reported,	253
Signed,	547	Read first time,	281
H. B. 115. To amend section 3129 of the, communicated and re- ferred,	333	Constitutional reading dispensed with and passed,	348
Committee discharged,	383	Signed,	545
Constitutional reading dispensed with and passed,	413	H. B. 116. To amend section 3956 of *the, communicated and re- ferred,	319
Signed,	493	Reported,	324
S. B. 175. To amend sections 3340-1 of the, presented and re- ferred,	170	Constitutional reading dispensed with and passed,	350
Reported,	203	Signed,	446
Constitutional reading dispensed with, amended, engrossed and passed,	226	H. B. 26. To amend section 847 of the, communicated and re- ferred,	96
Passed House,	298	Reported,	191
Signed,	343	Read first time,	215
S. B. 230. To amend section 3978 of the, presented and referred,	239	Read second time,	242
Committee discharged, constitu- tional reading dispensed with, engrossed and passed,	249	Read third time and passed,	263
Passed House,	331	Signed,	311
Signed,	343	H. B. 106. To amend section 3916 of the, communicated and re- ferred,	184
S. B. 129. To amend section 3122 of the, presented and referred,	120	Reported,	220
Reported,	237	Read first time,	245
Constitutional reading dispensed with, amended, engrossed and passed,	242	Read second time,	261
Passed House,	331	Read third time and passed,	275
Signed,	344	Signed,	320
S. B. 142. To amend section 4036 of the, presented and referred,	137	H. B. 117. To amend sections 2434 and 2618 of the, communicated and referred,	184
Committee discharged, constitu- tional reading dispensed with, engrossed and passed,	137	Reported,	220
Passed House,	139	Read first time,	245
Signed,	139	Read second time,	261
H. B. 112. To amend section 906 of the, concerning property levied on, communicated and referred,	184	Read third time and passed,	275
Reported,	203	Signed,	320
Read first time,	244	H. B. 51. To amend sections 826, etc., of the, communicated and referred,	115
Read second time and amended,	261	Reported,	140
Read third time and passed,	274	Read first time,	174
House refused to concur in Sen- ate amendments,	299	Read second time,	177
Senate insists upon its amend- ments and asks for conference, House agrees to conference and committee appointed,	308	Amended, read third time and passed,	236
Conference report presented,	316	Indefinitely postponed,	239
Agreed to by Senate,	328	H. B. 84. To amend section 3059 of the, communicated and re- ferred,	125
Agreed to by House,	363	Reported, constitutional reading dispensed with, amended and passed,	142
Signed,	380	House agreed to Senate amend- ments,	154
H. B. 55. To repeal sections 1287		Signed,	171
		H. B. 20. To amend sections 826, etc., of the, and to repeal sec- tion 839, communicated and re- ferred,	67
		Reported,	121
		Read first time,	132

Read second time,	137	COLLECTOR OF DELINQUENT	
Read third time and passed,	151	TAXES.	
Signed,	171	S. B. 150. To create an office to	
H. B. 105. To amend sections 1653,		be known as the, presented and	
1656, etc., of the, communicated		referred,	144
and referred,	145		
Committee discharged, constitu-		COLLECTION OF TAXES.	
tional reading dispensed with,		S. B. 162. To amend section 613	
and passed,	146	of Code in relation to, presented	
Signed,	225	and referred,	162
S. B. 42. To amend section 585		Reported,	284
of the, presented and referred,	44	Constitutional reading dispensed	
Committee discharged, constitu-		with, substitute adopted and en-	
tional reading dispensed with,		grossed,	360
engrossed and passed,	44	Passed,	399
Passed House,	63	Passed House,	521
Signed,	64	Signed,	540
S. B. 48. To amend section 3055		S. B. 88. To amend section 613	
of the, presented and referred,	50	of Code in relation to the, pre-	
Reported, constitutional reading		sented and referred,	84
dispensed with, amended, en-			
grossed and passed,	59	COMMERCIAL FERTILIZERS.	
Passed House,	78	H. B. 69. To amend an act regu-	
Signed,	85	lating sale of, communicated	
S. B. 278. To amend section 3055		and referred,	120
of the, presented and referred,	330		
Committee discharged, constitu-		COMMISSIONERS IN CHANCERY.	
tional reading dispensed with,		H. B. 11. To continue in office	
engrossed and passed,	494	the present, communicated and	
S. B. 291. To amend section 852		referred,	54
of the, presented and referred,	462	Committee discharged, constitu-	
Committee discharged,	462	tional reading dispensed with	
S. B. 266. To amend section 2079		and passed,	54
of the, presented and referred,	305	Signed,	63
S. B. 252. To repeal section 1897		S. B. 121. To amend section 3319	
of the, presented and referred,	279	of Code in relation to, presented	
Reported,	314	and referred,	108
Read first time,	392	Reported,	121
Read second time and engrossed,	504	Read first time,	153
Constitutional reading dispensed		Read second time and amendment	
with and passed,	510	proposed,	164
S. B. 233. To amend section 1447		Amended and engrossed,	172
of the, presented and referred,	240	Further amended by unanimous	
S. B. 220. To amend section 1587		consent and passed by,	177
of the, presented and referred,	224	Substitute adopted by unanimous	
Reported,	375	consent and passed,	231
S. B. 199. To amend section 1033		Passed House, amended,	492
of the, presented and referred,	198	Senate concurred in House amend-	
Reported,	266	ments,	492
Read first time,	324	Signed,	543
Passed by,	503		
S. B. 164. To amend section 2500		COMMISSIONERS OF THE REVE-	
of the, in regard to where and		NUE.	
by whom writings admitted to		S. B. 101. To amend section 525	
record, presented and referred,	162	of Code in relation to, presented	
H. B. 227. To amend section 2192		and referred,	92
of the, communicated and re-	480	H. B. 7. To amend section 525 of	
ferred,		Code in relation to fees of, com-	
H. B. 126. To repeal section 2146		municated and referred,	66
of the, communicated and re-	478	Reported,	116
ferred,			



CONVICTS.

H. B. 254. Authorizing use of, on Capitol improvements, communicated and referred,	485
Committee discharged,	486
Constitutional reading dispensed with and passed,	507
Signed,	545

CORPORATIONS.

S. B. 85. To amend section 14 of chapter 1 of an act concerning, presented and referred,	82
S. B. 60. To amend sections 2 and 3 of chapter 2 of an act concerning, presented and referred,	65
Reported,	76
Read first time,	90
Read second time and engrossed,	95
Read third time and passed,	100
Passed House,	180
Signed,	225
S. B. 273. To amend section 14 of chapter 1 of an act concerning, presented and referred,	309
Committee discharged,	339
Read first time,	392
Constitutional reading dispensed with, amended, engrossed and passed,	417
H. B. 155. To relieve, from erroneous charter fees, communicated and referred,	301
Reported,	313
Read first time,	351
Read second time and amended,	390
Read third time and passed,	437
House agreed to Senate amendments,	517
Signed,	543
H. B. 183. To extend time for assessment and payment of franchise tax on, communicated and referred,	369
Reported,	375
Constitutional reading dispensed with and rejected,	509
Motion to reconsider passed by,	
Reconsidered and passed,	531
Signed,	543

COUNTY COURTS.

S. B. 18. To empower, to fill vacancies in county offices, presented and referred,	31
Reported, substitute adopted. constitutional reading dispensed with, engrossed and passed,	32

COURTS OF LAND REGISTRATION.

S. B. 242. To establish, presented and referred,	260
--	-----

COURTS OF LAW AND EQUITY.

S. B. 27. Empowering, to admit evidence to contradict, &c., presented and referred,	36
---	----

CREATION OF ESTATES BY DE-  
VISE.

S. B. 254. To authorize the, presented and referred,	285
--	-----

CREDITORS.

S. B. 209. To amend section 2708 of Code in relation to, presented and referred,	199
Reported,	286
Constitutional reading dispensed with, amended, engrossed and passed,	358
Passed House,	519
Signed,	536

CRIMINAL CASES.

S. B. 32. To amend section 4016 and 4018 of Code in relation to trial of, presented and referred,	38
Reported, constitutional reading dispensed with, amended, engrossed and passed,	60
Passed House, amended,	78
Senate agreed to House amendments,	93
Signed,	106

CROMWELL, E. F.

Leave of absence granted,	26
Leave of absence granted,	148

CROP-PEST COMMISSIONERS.

S. B. 130. To amend an act creating Board of, presented and referred,	120
Reported,	321
Constitutional reading dispensed with, amended, engrossed and passed,	405

CRUMP, BEV. T.

Appointed member State Corporation Commission,	29
Appointment confirmed,	39

DAMASCUS (TOWN OF).

H. B. 146. To provide a charter for the, communicated and referred,	313
---	-----



Reported,  
Read first time,  
Constitutional reading dispensed  
with and passed,  
Signed,  
S. B. 131. To provide a charter  
for the, presented and referred,  
Reported from joint committee  
and referred,  
Reported,  
Read first time,  
Indefinitely postponed,

376 Amended and engrossed, 119  
391 Read third time and passed, 124  
S. B. 127. To amend section 666  
of Code in relation to sale of,  
presented and referred, 118  
S. B. 232. To amend section 666  
of Code in relation to, presented  
and referred, 239

#### DELINQUENT PROPERTY.

H. B. 137. To amend section 6078  
of Code in relation to, commu-  
nicated and referred, 283  
Reported, 313  
Constitutional reading dispensed  
with and passed, 350  
Signed, 441

#### DELINQUENT TAXES.

H. B. 274. To authorize sale of  
lots for, communicated and re-  
ferred, 523

#### DELINQUENT REAL ESTATE.

H. B. 136. To amend section 637  
of Code in relation to, commu-  
nicated and referred, 283  
Reported, 313  
Constitutional reading dispensed  
with and passed, 351  
Signed, 511

#### DEMURRERS TO EVIDENCE.

S. B. 67. To abolish, presented  
and referred, 69

#### DEPARTMENT OF EDUCATION.

S. B. 235. To provide quarters for  
the, presented and referred, 242  
Reported, constitutional reading  
dispensed with, engrossed and  
passed, 270  
Passed House, 522  
Signed, 535

#### DESERTION OF WIFE AND CHILD- REN.

S. B. 113. Making a misdemeanor,  
presented and referred, 142  
Reported, 156  
Read first time, 175  
Constitutional reading dispensed  
with, amended, engrossed and  
passed, 213  
Passed House, amended, 364  
Senate concurred in House amend-  
ment, 391  
Signed, 43

#### DANIEL, JOHN W.

Nominated for United States Sena-  
tor,  
Elected United States Senator in  
joint assembly,  
Committee appointed to wait on,  
and notify, of his election,  
Joint assembly addressed by,

52  
56

#### DANVILLE (CITY OF).

H. B. 186. To empower council  
of the, to borrow money, com-  
municated and referred,  
Committee discharged, constitu-  
tional reading dispensed with  
and passed,  
Signed,

303  
310  
320

#### DEAF, DUMB AND BLIND COLORED CHILDREN.

H. B. 217. Looking to establish-  
ment of school for education of,  
communicated and referred, 480

#### DEED BOOKS.

H. B. 140. To amend section 3184  
of Code in relation to general  
index to, communicated and re-  
ferred,  
Reported,  
S. B. 179. To amend section 3184  
of Code to provide for general  
index to, presented and referred,

301  
429  
173

#### DELINQUENT LANDS.

S. B. 22. To release titles of Com-  
monwealth to, presented and re-  
ferred,  
Reported,  
Recommitted,  
Reported,  
Read first time,  
Read second time, substitute  
adopted and engrossed,  
Reconsidered, amended and passed  
by,

33  
55  
62  
64  
71  
84  
84

DINWIDDIE COUNTY.

S. B. 90. To provide a road law for, presented and referred,	85
Reported from joint committee and referred,	147
Reported,	203
Constitutional reading dispensed with, amended, engrossed and passed,	207
Passed House,	331
Signed,	379
S. B. 286. To repeal a road law of, presented and referred,	378
Committee discharged, constitutional reading dispensed with, engrossed and passed,	378
Passed House,	520
Signed,	527
H. B. 239. To amend section 3711 of Code, in, so far as it applies to, communicated and referred,	483
Committee discharged,	483
Constitutional reading dispensed with, amended and passed,	500
House agreed to Senate amendments,	518
Signed,	547

DISPENSARY ELECTIONS.

S. B. 95. In relation to, presented and referred,	88
Committee discharged and referred,	133

DISTRICT SCHOOL BOARDS.

H. B. 90. Requiring, to publish annual statement of receipts and disbursements, communicated and referred,	183
Reported,	316

DIVORCES.

S. B. 78. To amend section 2257 of Code in relation to, presented and referred,	73
Reported,	86
Read first time,	95
Read second time, amended and engrossed,	111
Read third time and rejected,	122
S. B. 185. To amend section 2260 of Code in relation to, presented and referred,	177
Reported,	237
Read first time,	246
Indefinitely postponed,	262
S. B. 148. To amend section 2257 of Code in relation to, presented and referred,	141
Reported,	156

Read first time,	175
Read second time, amended and engrossed,	503

DOGS.

H. B. 249. To prevent, from being maliciously poisoned, communicated and referred,	485
Committee discharged,	485
Petition in relation to tax on, presented and referred,	20

DONALD, S. M.

Leave of absence granted,	72
Leave of absence granted,	118

DRAMATIC PLAYS.

H. B. 250. Fixing the penalty for, authorize use of, etc., communicated and referred,	485
---	-----

ENTICING AWAY OF LABORERS.

H. B. 67. To prohibit the, communicated and referred,	217
Reported,	334
Read first time,	391
Motion to take up, out of its order, rejected,	531

ERRORS IN JUDGMENTS.

S. B. 25. To provide for the correction of, etc., presented and referred,	34
Reported, constitutional reading dispensed with, engrossed and passed,	60
Passed House,	78
Signed,	85

EXECUTIVE SESSION.

Certain appointments confirmed in,	164
James B. Doherty, confirmed in,	260
Certain appointments confirmed in,	397
Certain appointments confirmed in,	532

EXTENSION OF CORPORATE LIMITS OF CITIES AND TOWNS.

S. B. 6. To provide for the, presented and referred,	21
Reported,	128
Read first time,	154
Read second time,	173
Indefinitely postponed,	308
H. B. 64. To provide for the, communicated and referred,	217
Committee discharged,	217

Constitutional reading dispensed  
with and amended, 273  
Further amended and passed, 307  
House agreed to Senate amend-  
ments, 363  
Signed, 441

#### FAIRFAX COUNTY.

H. B. 208 To amend road law of,  
communicated and referred, 370  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 460  
Signed, 534  
H. B. 223. To authorize super-  
visors of, to rent out Common-  
wealth's Attorney's office, com-  
municated and referred, 374  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 515  
Signed, 547

#### FAIRMOUNT (TOWN OF).

H. B. 191. To amend charter of  
the, communicated and referred, 370  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 409  
Signed, 493  
S. B. 192. To amend charter of  
the, presented and referred, 195  
Reported from joint committee  
and referred, 218

#### FAUQUIER COUNTY.

H. B. 166. To provide a road law  
for, communicated and referred, 303  
Committee discharged, constitu-  
tional reading dispensed with,  
amended and passed, 315  
House agreed to Senate amend-  
ments, 363  
Signed, 379

#### FEES OF JAILORS.

S. B. 89. To amend section 3532  
of Code in relation to, presented  
and referred, 85  
Reported, 156  
Read first time, 175  
Read second time, amended and  
passed by, 179

#### FEES OF SHERIFF, JAILOR, ETC.

S. B. 221. To amend section 3531  
of Code in relation to, presented  
and referred, 224

#### FEES TO OFFICERS.

S. B. 224. To amend section 3527  
of Code in relation to payment  
of, in criminal cases, presented  
and referred, 235  
Committee discharged and re-  
ferred, 241  
Reported, 252  
Read first time,  
Read second time,  
Constitutional reading dispensed  
with, 394  
Amended, 398  
Read second time and engrossed, 503

#### FEMALE WITNESSES.

S. B. 100. To provide for taking  
depositions of, in cases of rape,  
presented and referred, 89  
Reported, 121  
Constitutional reading dispensed  
with, amended, engrossed and  
passed, 135  
Passed House, 139  
Signed, 139

#### FIDUCIARY.

S. B. 211. To amend section 2698,  
etc., of Code in relation to, pre-  
sented and referred, 200  
Reported, 286  
Constitutional reading dispensed  
with, amended, engrossed and  
passed, 353  
Passed House, 519  
Signed, 536  
S. B. 208. To amend section 2689  
of Code in relation to resigna-  
tion of, presented and referred, 199  
Reported, 286  
Constitutional reading dispensed  
with, amended, engrossed and  
passed, 357  
Passed House, 519  
Signed, 535

#### FLOYD COUNTY.

S. B. 244. To amend road law of,  
presented and referred, 273  
Reported from joint committee  
and referred, 314  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 337  
Passed House, 529  
Signed, 535

#### FORD, GEORGE T.

Leave of absence granted, 65

FOURTH JUDICIAL CIRCUIT.

Walter A. Watson nominated and  
elected judge of the, 84

FOURTEENTH JUDICIAL CIRCUIT.

D. Gardiner Tyler nominated and  
elected judge of the, 35

FRANKLIN, W. C.

S. B. 79. For relief of, presented  
and referred, 73  
Reported from joint committee  
and referred, 81

FRAUDULENT CONVEYANCES.

S. B. 77. To amend section 2458  
of Code in relation to, presented  
and referred, 72

FRAUDULENT CONVERSIONS OF  
PROPERTY.

H. B. 122. To amend an act in  
relation to, communicated and  
referred, 333  
Reported, 386  
Constitutional reading dispensed  
with and passed, 508  
Signed, 545

FREDERICK, CLARKE, WARREN,  
PAGE AND SHENANDOAH COUN-  
TIES.

S. B. 293. To amend an act rela-  
ting to supervisors of, presented  
and referred, 505  
Joint committee discharged and re-  
ferred, committee discharged,  
Constitutional reading dispensed  
with, engrossed and passed, 506  
Passed House, 538  
Signed, 547

FREDERICKSBURG (CITY OF).

S. B. 290. To authorize the, to  
issue bonds, presented and re-  
ferred, 423  
Joint committee discharged and  
referred, 423  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 423  
Passed House, 521  
Signed, 542

FRIES (TOWN OF).

S. B. 247. To amend charter of  
the, presented and referred, 273  
Joint committee discharged and  
referred, 292

Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 292  
Passed House, 473  
Signed, 512  
H. B. 38. To amend an act incor-  
porating the, communicated and  
referred, 96  
Reported, 140  
Read first time, 152  
Read second time, 159  
Read third time and passed by, 163  
Rejected, 209

FRONT ROYAL (TOWN OF).

S. B. 123. To authorize trustees  
of Methodist church in, to sell  
certain real estate, presented and  
referred, 109  
Reported from joint committee  
and referred, 117  
S. B. 256. To allow the, to issue  
bonds, presented and referred, 286  
Reported from joint committee  
and referred, 328  
Committee discharged, 339  
Constitutional reading dispensed  
with, engrossed and passed, 385  
Passed House, 520  
Signed, 542

GAINES BILL.

House joint resolution in refer-  
ence to the passage by Congress  
of the, communicated, 201  
Amended and agreed to, 235  
House agreed to Senate amend-  
ment, 238

GARRETT, W. A.

Leave of absence granted, 55

GENERAL ASSEMBLY.

Joint resolution extending session  
of the, presented and agreed to, 528  
Agreed to by House, 529

GENERAL AND SPECIAL ELEC-  
TIONS.

H. B. 213. To amend chapter 10  
of Code in relation to, commu-  
nicated and referred, 373

GILES COUNTY.

S. B. 180. To provide a road law  
for, presented and referred, 175  
Reported from joint committee  
and referred, 194

Committee discharged, constitutional reading dispensed with, engrossed and passed,	219	Message from the, appointing Geo. C. Bland on Eastern Hospital Board,	77
Passed House with substitute,	435	Message from the, appointing W. D. Chesterman on Penitentiary Board,	111
Senate agreed to House substitute,	435	Message from the, transmitting list of conditional pardons,	123
Signed,	534	Message from the, appointed University board,	153
<b>GLADEVILLE (TOWN OF).</b>		Message from the, appointing J. B. Doherty Commissioner of Labor,	239
H. B. 53. To amend charter of the, communicated and referred,	115	Communication from the,	246
Reported,	288	Message from the, appointing board of Deaf and Blind Institution,	305
Read first time,	322	Message from the, appointing board of Virginia Normal and Industrial Institution,	318
Read second time,	390	Message from the, appointing V. M. I. board,	489
Read third time and passed,	437	Message from the, appointing certain boards,	436
Signed,	534	H. B. 261. Authorizing the, to procure offices for, for certain officers now in Capitol building, communicated and referred,	486
<b>GLOUCESTER COUNTY.</b>		Committee discharged,	486
H. B. 216. To authorize school trustees of, to borrow money, communicated and referred,	479	Constitutional reading dispensed with and passed,	530
Committee discharged,	479	Signed,	547
Constitutional reading dispensed with and passed,	480	House joint resolution providing for appointment of a committee to wait on the, and inform him that the General Assembly is ready to adjourn, communicated and agreed to, committee appointed, their report,	548
Signed,	544	<b>GRAYSON COUNTY.</b>	
<b>GOOCHLAND COUNTY.</b>		S. B. 43. To protect trout in waters of Wilson district in, presented and referred,	47
D. H. Leake nominated and elected county judge of,	28	Reported from joint committee and referred,	81
S. B. 170. To authorize Circuit Court of, to appoint road commissioners, presented and referred,	169	H. B. 60. To provide for working roads in, communicated and referred,	116
Reported from joint committee and referred,	269	Reported,	192
Reported,	289	Read first time,	215
Constitutional reading dispensed with, amended, engrossed and passed,	352	Read second time,	242
Passed House,	519	Passed,	430
Signed,	536	Signed,	534
H. B. 253. To provide for working convicts on roads of, communicated and referred,	485	<b>GREEAR, JOHN F.</b>	
<b>GOVERNOR.</b>		Leave of absence granted,	136
House joint resolution providing for the appointment of a committee to wait on the, and inform him that the General Assembly is organized, communicated,	14	<b>GREENE HUMANE SOCIETY.</b>	
Agreed to, Mr. Sears ordered to inform the House, committee appointed and their report,	14	S. B. 106. To amend charter of the, presented and referred,	97
Message from the, received, tabled and printed,	14		
Message from the, transmitting resignation of Judge Tavenner,	24		
Message from the, appointing Bev. T. Crump a member of the Corporation Commission,	29		

Reported from joint committee  
and referred, 192

### GUARDIANS.

S. B. 102. To amend sections 2599  
to 2602 of Code in relation to  
appointment of, presented and  
referred, 92  
Reported, 220  
Read first time, 246  
Read second time, amended and  
engrossed, 262  
Read third time and passed,  
Passed House, 277  
Signed, 518  
542

### GWALTNEY, P. D., JR.

S. B. 176. To authorize, to erect  
a wharf in Isle of Wight county,  
presented and referred, 172  
Reported from joint committee  
and referred, 193

### GYPSIES.

H. B. 34. To impose license tax  
on, communicated and referred, 76  
Reported, 92  
Read first time, 101  
Read second time, 104  
Read third time and rejected, 110  
Motion to reconsider passed by, 110  
Reconsidered and passed, 258  
Signed, 312

### HANGINGS.

S. B. 166. To amend section 4063  
of Code in relation to, presented  
and referred, 162  
Committee discharged, constitu-  
tional reading dispensed with  
and Senate refused to engross  
the bill, 340

### HARMAN, A. C.

Leave of absence granted, 118  
Leave of absence granted, 108

### HARRISONBURG (TOWN OF).

S. B. 258. To authorize the, to  
appropriate money, presented  
and referred, 292  
Reported from joint committee  
and referred, 314  
Reported, 377  
Read first time, 393  
Constitutional reading dispensed  
with, engrossed and passed, 412  
Passed House, 521  
Signed, 536

### HEAT, LIGHT AND POWER PLANT.

S. B. 20. To appropriate money  
for the erection of a, presented  
and referred,, 31  
Reported, 64  
Read first time, 71  
Read second time and engrossed, 73  
Read third time and passed by, 83  
Amended by unanimous consent  
and passed, 377  
Passed House, 520  
Signed, 527

### HENRICO COUNTY.

S. B. 56. To authorize supervisors  
of, to levy a capitation tax, pre-  
sented and referred, 62  
S. B. 156. To amend road law of,  
presented and referred, 148  
H. B. 48. To authorize Brookland  
district in, to borrow money,  
communicated and referred, 105  
Reported, 187  
Constitutional reading dispensed  
with, amended and passed, 213  
House agreed to Senate amend-  
ments, 234  
Signed, 254  
S. B. 161. To authorize super-  
visors of, to levy tax on dogs,  
presented and referred, 160  
Reported from joint committee  
and referred, 193  
Committee discharged, 335  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 418  
Passed House, 521  
Signed, 536  
H. B. 209. To amend road law of,  
communicated and referred, 347  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 402  
Signed, 511

### HIGH SCHOOLS.

S. B. 117. To establish a system  
of, presented and referred, 105  
Reported, 316  
Read first time, 392  
Indefinitely postponed, 504  
H. B. 174. To establish a system  
of district, communicated and  
referred, 453  
Committee discharged, constitu-  
tional reading dispensed with, 504  
Amended, 516

### HOLT, S. W.

Leave of absence granted, 98

# HOUDON STATUE OF WASHINGTON.

H. B. 130. To provide for removal of the, communicated and referred,	234
Committee discharged and referred to finance and banks,	278
Reported,	284
Read first time,	323
Read second time and amended,	390
Read third time and passed,	437
House agreed to Senate amendments,	517
Signed,	546

## HUNTING LICENSES.

H. B. 222. To amend an act in relation to, to non-residents, communicated and referred,	480
---	-----

## HURST'S GUIDE AND MANUAL.

S. B. 168. To provide for purchase of, presented and referred,	169
Reported,	314
Constitutional reading dispensed with, engrossed and passed,	382
Passed House,	520
Signed,	543

## HUSBAND AND WIFE.

S. B. 138. To amend an act making, competent witnesses for or against each other, presented and referred,	134
Reported,	156
Read first time,	175
Read second time and passed by,	213
Amended,	233
Engrossed,	263
Read third time and passed,	442

## HUTCHESON, J. N.

Leave of absence granted,	246
---------------------------	-----

## INCIDENTAL AND CONTINGENT EXPENSES OF THE SENATE.

Resolution in relation to the, presented and agreed to,	104
---	-----

## INDEMNIFYING BONDS TO OFFICERS.

H. B. 178. To amend section 3001 of Code in relation to, communicated and referred,	303
---	-----

## INDIGENT SICK.

S. B. 58. To create a board for relief of the, presented and referred,	63
--	----

## INSANE PERSONS.

H. B. 86. To provide for supporting, removing and maintaining, communicated and referred,	283
Reported,	316

## INSPECTION OF OILS AND BURNING FLUIDS.

S. B. 198. To provide for the, presented and referred,	198
--	-----

## INSURANCE AGENTS.

S. B. 160. Prohibiting, from acting for companies not licensed to do business in this State, presented and referred,	160
--	-----

## INTERROGATORIES.

H. B. 123. To amend section 3603 of Code in relation to proceedings by, communicated and referred,	333
Reported,	387

## ISLE OF WIGHT COUNTY.

H. B. 160. To authorize Windsor precinct in, to vote on question of dispensary, communicated and referred,	302
Committee discharged, constitutional reading dispensed with and passed,	420
Signed,	493

## JAMESTOWN EXPOSITION.

House joint resolution in relation to the, communicated and agreed to,	147
--	-----

## JOINT ASSEMBLY.

Bev. T. Crump confirmed as member Corporation Commission in,	39
John W. Daniel elected United States Senator in,	56

## JUDICIAL CIRCUITS.

H. B. 196. To amend section 3059 of Code in relation to terms of courts in the various, communicated and referred,	370
Reported,	387
Constitutional reading dispensed with, amended and passed,	417
House concurred in Senate amendments,	473
Signed,	540

**JUDGES OF CIRCUIT COURTS.**

H. B. 92. To authorize persons appointed to office by, to qualify before the Clerk, communicated and referred,	183
Reported,	429

**JUDGES OF CIRCUIT AND CORPORATION COURTS.**

S. B. 16. To amend section 2981 of Code in relation to powers of, presented and referred,	31
Reported,	71
Read first time,	90
Read second time and engrossed,	95
Read third time and passed,	99
Passed House,	332
Signed,	343

**JUDGES AND CLERKS OF ELECTION.**

S. B. 69. To amend section 64 of Code in relation to appointment of, presented and referred,	69
Reported,	270

**JUDGMENT.**

H. B. 120. To amend section 3287 of Code in relation to, communicated and referred,	283
H. B. 85. To require assignees of, to cause assignments to be entered on judgment docket, communicated and referred,	183

**JURIES.**

S. B. 243. Authorizing, to punish with death persons maliciously burning barns, etc., presented and referred,	271
Reported,	336
Read first time,	392
Constitutional reading dispensed with, amended, engrossed and passed,	461
S. B. 186. To amend sections 3146-7 of the Code in relation to, presented and referred,	188
Reported,	203
Constitutional reading dispensed with, amended, engrossed and passed,	227
Passed House,	332
Signed,	379

**JURORS.**

S. B. 99. To amend section 3154 of Code in relation to peremptory challenge of, in civil cases, presented and referred,	89
---	----

Reported,	92
Read first time,	101
Read second time and engrossed,	111
Read third time and passed,	131
Passed House, amended,	180
Senate agreed to House amendments,	182
Signed,	225
S. B. 187. To amend section 4048 of Code in relation to, presented and referred,	188
Reported,	203
Constitutional reading dispensed with, amended engrossed and passed,	227
Passed House,	331
Signed,	379

**JUSTICES OF THE PEACE.**

S. B. 249. To amend section 2939 of the Code in relation to jurisdiction of, presented and referred,	278
S. B. 133. To amend section 2942 of Code in relation to, presented and referred,	128
Reported,	156
Read first time,	176
Read second time and passed by,	180
Engrossed,	213
Read third time and passed,	228
Passed House,	332
Signed,	344

**LABELS, TRADE-MARKS, ETC.**

S. B. 195. To amend an act to protect, presented and referred,	195
--	-----

**LABORERS.**

S. B. 108. Requiring those employing large bodies of, to have them inspected by Board of Health, presented and referred,	98
Reported,	191
Constitutional reading dispensed with and amendment proposed,	212
Amendments proposed and passed by,	232
Amended, engrossed and passed,	258
Passed House, amended,	364
Senate concurred in House amendment,	368
Signed,	512

**LA CROSSE (TOWN OF).**

S. B. 223. To amend charter of the, presented and referred,	234
Reported from joint committee and referred,	268



Committee discharged, constitutional reading dispensed with, engrossed and passed, 268  
 Passed House, 475  
 Signed, 535

#### LANG, WM. H.

S. B. 134. To allow, to erect a shucking-house on Folly creek, in Accomac county, presented and referred, 128

#### LEE-JACKSON DAY.

H. B. 170. To make January 19th a legal holiday and known as, communicated and referred, 369  
 Committee discharged, constitutional reading dispensed with and passed, 404  
 Signed, 527

#### LEGAL HOLIDAY.

S. B. 238. Making April 5, 1904, a, presented and referred, 256  
 Reported, 286  
 Constitutional reading dispensed with, engrossed and passed, 297  
 Passed House, 474  
 Signed, 493

#### LEGISLATIVE RECORDS.

S. B. 219. To provide for publication of the, presented and referred, 224  
 Reported and referred, 253

#### LIBRARIES IN PUBLIC SCHOOLS.

S. B. 91. To provide for establishment and enlargement of, in the rural districts, presented and referred, 86

#### LIEN OF EMPLOYEES.

S. B. 57. To amend section 2485 of Code in relation to, presented and referred, 62  
 Reported, 202  
 Read first time, 225  
 Indefinitely postponed, 262

#### LIEN OF AN EXECUTION.

H. B. 93. To amend section 3609 of Code in relation to, communicated and referred, 283  
 Reported, 429

#### LIFE INSURANCE COMPANIES.

S. B. 204. To prohibit, from issuing policies on persons under twelve, presented and referred, 199

#### LIQUOR' DEALERS.

H. B. 98. Concerning, deprived of licenses by local option elections, communicated and referred, 251  
 Reported, 270  
 Read first time, 322  
 Read second time, 389  
 Read third time and passed, 401  
 Signed, 534

#### LOCAL OPTION LAWS.

S. B. 255. To secure better enforcement of the, presented and referred, 285  
 Committee discharged, constitutional reading dispensed with, engrossed and passed, 285  
 Passed House, 474  
 Signed, 546

#### LOCOMOTIVE, ENGINE, ETC.

S. B. 236. To punish wilful taking of waste or packing from boxes of, presented and referred, 255  
 Committee discharged, constitutional reading dispensed with, engrossed and passed, 255  
 Passed House, 364  
 Signed, 441

#### LOUISA COUNTY.

H. B. 73. To repeal road law for, communicated and referred, 116  
 Reported, 140  
 Read first time, 152  
 Read second time, 159  
 Read third time and passed, 163  
 Signed, 225

#### LOWE, DAVID.

H. B. 190. To allow, to erect a wharf, communicated and referred, 370

#### LURAY (TOWN OF).

H. B. 237. To amend charter of the, communicated and referred, 446  
 Committee discharged, constitutional reading dispensed with and passed, 449  
 Signed, 535

#### MACHEN, LEWIS H.

Leave of absence granted, 127

#### MADISON HEIGHTS (TOWN OF).

H. B. 264. To incorporate the, communicated and referred, 446

Committee discharged, constitutional reading dispensed with and passed,	458
Signed,	534
S. B. 275. To incorporate the, presented and referred,	319
Reported from joint committee and referred,	376

#### MANUFACTURING ENTERPRISES.

S. B. 124. To encourage, located in this State, presented and referred,	112
---	-----

#### MASSIE, BLAND.

Leave of absence granted,	32
Leave of absence granted,	104

#### MEDICAL COLLEGE OF VIRGINIA.

S. B. 47. Appropriating \$17,000 to the, presented and referred,	50
Reported,	116
Constitutional reading dispensed with, amended and engrossed,	143
Motion to reconsider passed by,	151
Amendment proposed,	242
Reconsidered, amendments adopted and Senate refused to engross the bill,	257

#### MECKLENBURG COUNTY.

H. B. 224. To authorize supervisors of, to issue duplicate bond, communicated and referred,	427
Committee discharged, constitutional reading dispensed with and passed,	499
Signed,	546

#### MEMBERS OF GENERAL ASSEMBLY.

H. B. 89. To amend section 152 of Code in relation to how election of, contested, communicated and referred,	183
--	-----

#### METHODS OF ACCOUNTING.

S. B. 125. To provide a commission to investigate the, employed by officers, presented and referred,	118
Reported,	126
Read first time,	153
Read second time and passed by,	178
Substitute adopted and engrossed,	204
Read third time and passed,	230
Rejected by House,	426

#### MIDDLESEX COUNTY.

H. B. 157. To authorize, to borrow money, communicated and referred,	302
Reported,	376
Constitutional reading dispensed with and passed,	510
Signed,	545

#### MINORS OR CERTAIN STUDENTS.

H. B. 97. To prohibit selling liquor to, communicated and referred,	251
Reported,	284
Read first time,	323

#### MONTGOMERY COUNTY.

S. B. 12. To authorize Blacksburg school district in, to borrow money, presented and referred,	27
Reported from joint committee and referred,	33
Committee discharged, constitutional reading dispensed with, amended, engrossed and passed,	45
Passed House,	74
Signed,	76
H. B. 271. To repeal an act in relation to roads in, communicated and referred,	488

#### MOUNT VERNON ASSOCIATION.

S. B. 165. To repeal joint resolution transferring to the, certain claims against United States Government, presented and referred,	162
Reported,	187
Read first time,	216
Motion to recommit rejected,	233
Recommitted,	239
Reported,	304

#### MUSTER ROLLS, RECORDS, ETC.

H. B. 46. To provide for the collection of, communicated and referred,	115
Reported,	139
Read first time,	153
Read second time and recommended,	159
Reported,	218
Read third time and passed,	264
Signed,	312

#### NANSEMOND COUNTY.

H. B. 188. To amend act in relation to poor fund of, communicated and referred,	369
---	-----

## NARROWS (TOWN OF).

S. B. 277. To provide a charter for the, presented and referred, Committee discharged, constitutional reading dispensed with, engrossed and passed, Passed House, Signed,	321 381 520 534
---	--------------------------

## NEGRO REFORMATORY ASSOCIATION.

H. B. 231. Appropriating money to the, communicated and referred,	481
---	-----

## NELSON COUNTY.

H. B. 163. To authorize the, to build a monument, communicated and referred, Committee discharged, constitutional reading dispensed with and passed, Signed,	302 324 447
H. B. 220. To repeal an act for imposing fines for trespass of stock in, communicated and referred, Committee discharged, constitutional reading dispensed with and passed, Signed,	374 414 493

## NEWPORT NEWS (CITY OF).

H. B. 148. To repeal an act to amend charter of the, communicated and referred,	313
S. B. 122. To provide for the issue of bonds by the, presented and referred, Reported from joint committee and referred, Reported, Read first time, Constitutional reading dispensed with, engrossed and passed,	109 267 377 393 407
H. B. 238. Authorizing the, to issue bonds, communicated and referred, Committee discharged, Constitutional reading dispensed with and rejected, motion to reconsider passed by, Reconsidered and passed, Signed,	483 483 514 530 548

## NEW TRIALS.

S. B. 152. To prevent granting of, in criminal cases under certain conditions, presented and referred,	144
--	-----

## NOEL, J. C.

Leave of absence granted,	138
NON-RESIDENT LABORING MEN.	
S. B. 74. In relation to, who are householders, presented and referred, Reported,	70 286

## NORFOLK COUNTY.

S. B. 197. To authorize supervisors of, to provide office for judge, presented and referred, Reported from joint committee and referred,	198 217
S. B. 151. To authorize, to purchase toll roads, presented and referred, Reported from joint committee and referred, Reported, Constitutional reading dispensed with, substitute adopted, engrossed and passed, Passed House, Signed,	144 193 290 341 474 512
S. B. 272. To authorize, to issue bonds, presented and referred, Reported from joint committee and referred,	309 315

## NORTHAMPTON COUNTY.

H. B. 218. To authorize Franktown school district in, to borrow money, communicated and referred, Committee discharged, constitutional reading dispensed with and passed, Signed,	373 408 528
---	-------------------

## NOTARIES PUBLIC.

S. B. 45. To allow, under age of 21 to sue for fees, presented and referred, Reported, constitutional reading dispensed with, engrossed and passed, Passed House, Signed,	50 61 78 86
H. B. 76. To amend section 923 of Code in relation to, communicated and referred, Reported, Constitutional reading dispensed with and passed, Signed,	125 134 149 200

## NOTTOWAY COUNTY.

S. B. 234. To amend an act providing for two commissioners of	
---	--

the revenue for, presented and referred,	240
Reported from joint committee and referred,	267

## OFFICIAL BONDS.

S. B. 33. Making, of State, county and city officers a lien on their real estate, presented and referred,	42
---	----

## OFFICIAL RECEIPT FOR FINES.

S. B. 23. To provide for the, presented and referred,	33
Committee discharged and referred,	241
H. B. 40. To provide for, communicated and referred,	114
Committee discharged and referred,	241
Reported,	270
Read first time,	321
Read second time,	388
Read third time and passed,	422
Signed,	512

## ONANCOCK (TOWN OF).

S. B. 201. To authorize the, to borrow money, presented and referred,	198
Reported from joint committee and referred,	267
Reported,	289
Constitutional reading dispensed with and engrossed,	353
Passed,	378
Passed House,	520
Signed,	543
H. B. 189. To allow the, to levy additional capitation tax, communicated and referred,	370
Committee discharged, constitutional reading dispensed with and passed,	454
Signed,	512

## ORDERS OF PUBLICATION.

H. B. 203. To amend section 3231 of the Code in relation to, communicated and referred,	455
S. B. 274. To validate certain, presented and referred,	309
Committee discharged,	325
Constitutional reading dispensed with, amended, engrossed and passed,	362
Passed House,	519
Signed,	536

## OYSTERS.

H. B. 124. To prohibit taking of, in Potomac river with dredges, communicated and referred,	283
H. B. 132. To amend section 2148 of Code in relation to taking, communicated and referred,	478

## OYSTERS AND FISH.

S. B. 62. To prohibit non-residents from becoming stockholders in corporations chartered for purpose of taking of, presented and referred,	68
Reported,	71
Read first time,	90
Read second time, amendments proposed and passed by,	95
Amendments rejected,	171
Engrossed,	171
Motion to dispense with constitutional reading rejected,	171
Read third time and passed,	272

## OYSTER LEGISLATION.

House joint resolution in relation to joint, with Maryland, communicated and laid on table,	529
Agreed to,	544
Mr. Machen appointed on the joint committee on,	548

## OYSTER PLANTING GROUNDS.

H. B. 25. To have plats of, endorsed "abandoned" in certain cases, communicated and referred,	79
Reported,	284
Read first time,	322
Read second time,	390
Read third time and passed,	435
Signed,	537

## PAGE COUNTY.

S. B. 206. To amend an act preventing hogs from running at large in, presented and referred,	199
Reported from joint committee and referred,	268

## PAGES OF THE SENATE.

Resolution in regard to the, presented and agreed to,	101
---	-----

## PARKSLEY (TOWN OF).

H. B. 225. To incorporate the, communicated and referred,	427
Committee discharged, constitu-	

tional reading dispensed with  
and passed, 464  
Signed, 528

#### PATTESON, CAMM.

Leave of absence granted, 148  
Leave of absence granted, 271

#### PATRICK AND GRAYSON COUNTIES.

S. B. 76. Authorizing supervisors  
of, to levy capitation tax, pre-  
sented and referred, 72  
Reported from joint committee  
and referred, 81  
Reported, 191  
Read first time, 216  
Read second time, amended and  
engrossed, 263  
Amended by unanimous consent  
and passed, 347  
Passed House, 519  
Signed, 542

#### PEANUT CLEANING FACTORIES.

H. B. 194. In relation to, com-  
municated and referred, 479  
Committee discharged, 479

#### PENITENTIARY.

House joint resolution providing  
for filling vacancies in Building  
Committee of the, communicated  
and agreed to, 65  
A. C. Harman appointed, 71  
S. B. 241. To provide for pay-  
ment of sum for completion of  
building at the, presented and  
referred, 259  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 259  
Passed House, 332  
Signed, 343  
Joint resolution providing that the  
Superintendent of the, shall fur-  
nish convicts to assist Superin-  
tendent Public Instruction in  
moving his office, presented and  
agreed to, 424  
Agreed to by House, 473

#### PENSIONS.

House joint resolution in relation  
to, communicated and referred, 30  
S. B. 188. To provide for payment  
of, presented and referred, 188  
Reported, 218  
Read first time, 246

Read second time and engrossed, 262  
Read third time and passed, 277  
Passed House, 522  
Signed, 545

H. B. 138. To amend act in rela-  
tion to, communicated and re-  
ferred, 301  
Committee discharged, constitu-  
tional reading dispensed with,  
amended and passed, 470  
House agreed to Senate amend-  
ments, 518  
Signed, 539

#### PHEASANTS.

H. B. 29. For the protection of,  
communicated and referred, 75  
Reported, 264  
Read first time, 322  
Read second time and amended, 390  
Read third time and passed, 436  
House agreed to Senate amend-  
ments, 517  
Signed, 546

#### PHEOBUS (TOWN OF).

H. B. 276. To amend charter of  
the, communicated and referred, 455  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 490  
Signed, 546

#### PIERS, DOCKS AND WATCH- HOUSES.

S. B. 202. To amend an act au-  
thorizing parties renting oyster  
ground to erect, presented and  
referred, 198  
Reported, 283  
Constitutional reading dispensed  
with, substitute adopted, en-  
grossed and passed, 356  
Passed House, 521  
Signed, 535

#### PITTSYLVANIA COUNTY.

S. B. 285. To repeal road law of,  
presented and referred, 354  
Joint committee discharged and  
referred, 354  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 383  
Passed House, 521  
Signed, 528

#### POCAHONTAS (TOWN OF).

S. B. 115. Authorizing the, to sell  
strip of land, presented and re-  
ferred, 103

Reported from joint committee and referred,	148	Read third time,	210
Reported,	288	Engrossment reconsidered and amendments proposed,	230
Read first time,	352	Amended, engrossed and passed,	349
Read second time and engrossed,	391	Passed House, amended,	522
Read third time and passed,	443	Senate concurred in House amend- ments,	523
Passed House,	521	Signed,	547
Signed,	528	S. B. 96. To provide lists of all persons who have paid their, presented and referred,	88
S. B. 109. To amend charter of the, presented and referred,	98	Reported,	101
Reported from joint committee and referred,	193	Read first time,	104
Reported,	288	Read second time, amended and recommitted,	112
Read first time,	252	Reported,	146
Read second time and engrossed,	390	Read first time,	174
Read third time and passed,	443	Amended and engrossed, constitu- tional reading dispensed with and passed,	232
Passed House,	521	Passed House, amended,	319
Signed,	534	Senate concurred in House amend- ments,	327
POCAHONTAS (TOWN OF), IN ELIZABETH CITY COUNTY.		Signed,	442
S. B. 238. To amend charter of the, presented and referred,	348	PORTLAND (OREGON) EXPOSI- TION.	
Reported from joint committee and referred,	394	S. B. 218. To appropriate money for removing exhibit from St. Louis to, presented and re- ferred,	221
Committee discharged, constitu- tional reading dispensed with, engrossed and passed,	410	Joint resolution in relation to the, presented,	447
Passed House,	521	Agreed to,	452
Signed,	528	Agreed to by House,	517
POLICE AGENTS.		PORTSMOUTH (CITY OF).	
S. B. 250. To amend section 1230 of Code, providing for appoint- ment of, presented and referred,	278	H. B. 158. To authorize the, to issue bonds, communicated and referred,	302
POLICE JUSTICES.		Committee discharged, constitu- tional reading dispensed with and passed,	334
H. B. 204. To amend an act to provide for, in cities of 10,000 and over, communicated and referred,	370	Signed,	441
Reported,	430	S. B. 265. To amend charter of the, presented and referred,	305
Constitutional reading dispensed with, amended and passed,	456	Joint committee discharged, re- ferred,	362
House agreed to Senate amend- ments,	517	Committee discharged, constitu- tional reading dispensed with, engrossed and passed,	384
Signed,	545	Rejected by House,	522
POLL TAXES.		H. B. 252. To amend charter of the, communicated and referred,	398
H. B. 83. To provide for posting lists of those who have paid their, communicated and re- ferred,	128	Committee discharged, constitu- tional reading dispensed with and passed,	462
S. B. 104. To provide for evidence of the prepayment of, presented and referred,	93	Signed,	537
Reported,	146	POTOMAC RIVER.	
Read first time,	174	H. B. 173. To protect fish in the, communicated and referred,	478
Read second time and engrossed,	179		

Committee discharged, 478  
 Constitutional reading dispensed 500  
 with and passed, 546  
 Signed,

#### PRACTICE OF PHARMACY.

H. B. 17. To amend section 1763  
 of Code in relation to, commu-  
 nicated and referred, 67  
 Reported, 191  
 Read first time, 215  
 Read second time and amended, 241  
 Read third time, 274  
 Passed, 400  
 House concurred in Senate amend-  
 ments, 473  
 Signed, 537

#### PRACTICE OF MEDICINE AND SURGERY.

S. B. 9. To amend section 1747  
 of Code in relation to the, pre-  
 sented and referred, 26  
 Reported, 33  
 Read first time, 42  
 Read second time, amended and  
 engrossed, 44  
 Read third time, amended by  
 unanimous consent and passed, 47  
 Passed House, amended, 426  
 Referred, 428

#### PRIMARY SCHOOLS.

S. B. 38. To provide special fund  
 to aid, presented and referred, 43

#### PRIMARY ELECTIONS.

S. B. 44. To provide for, pre-  
 sented and referred, 49  
 Reported, 270  
 Constitutional reading dispensed  
 with and amended, 309  
 Passed, 398  
 Passed House, amended, 523  
 Amendments proposed and passed  
 by, 526

#### PRINCE EDWARD COUNTY.

H. B. 265. To amend an act es-  
 tablishing dispensary in Farm-  
 ville district in, communicated  
 and referred, 486  
 Committee discharged, 487

#### PRINCE GEORGE COUNTY.

S. B. 210. To amend road law of,  
 presented and referred, 199

Reported from joint committee  
 and referred, 267  
 Reported, constitutional reading  
 dispensed with, engrossed and  
 passed, 289  
 Passed House, 473  
 Signed, 493

#### PRINCE WILLIAM COUNTY.

H. B. 70. Authorizing supervisors  
 of, to issue bonds, communi-  
 cated and referred, 116  
 Reported, 187  
 Constitutional reading dispensed  
 with and passed, 214  
 Signed, 254  
 H. B. 242. To establish dispen-  
 sary in Dumfries district of,  
 communicated and referred, 483  
 Committee discharged, 484

#### PRINCESS ANNE COUNTY.

S. B. 194. To authorize certain  
 persons to erect a wharf in,  
 presented and referred, 195  
 Reported from joint committee  
 and referred, 217  
 Reported, 334

#### PRISON ASSOCIATION OF VIRGINIA.

H. B. 91. In relation to commit-  
 ment of minors to the, commu-  
 nicated and referred, 183  
 Reported, 220  
 Read first time, 245  
 Read second time, 261  
 Read third time and passed, 275  
 Signed, 343  
 H. B. 185. Authorizing the, to ex-  
 pend certain money. communi-  
 cated and referred, 369  
 Committee discharged, constitu-  
 tional reading dispensed with  
 and passed, 502  
 Signed, 544

#### PROBATE OF WILLS.

S. B. 82. To amend section 2533  
 of Code in relation to the, pre-  
 sented and referred, 76  
 Reported, 86  
 Recommended, 96  
 Reported, 220  
 Read first time, 245  
 Read second time, amended and  
 engrossed, 279  
 Read third time and passed, 325  
 Passed House, 518  
 Signed, 512

**PUBLIC BUILDINGS.**

S. B. 11. To provide for insuring, and other property of the Commonwealth, presented and referred, 27

**PUBLIC DEBT.**

H. B. 87. To amend title 12 of Code in relation to the, communicated and referred, 183  
Reported, 218  
Read first time, 245  
Read second time, 261  
Read third time, 275  
Recommitted, 292  
Reported, 304  
Constitutional reading dispensed with, amended and passed, 328  
House agreed to Senate amendments, 363  
Signed, 379

**PUBLIC FREE SCHOOLS.**

S. B. 143. To amend section 1433, etc., of Code in relation to, for counties, presented as committee bill, 140  
Read first time, 174  
Read second time, amended and passed by, 179  
Further amended and engrossed, 205  
Constitutional reading dispensed with and passed, 229  
Passed House, 364  
Signed, 446  
S. B. 98. To amend section 1493 of Code in relation to, presented and referred, 88  
S. B. 80. To amend section 1437 of Code in relation to the, presented and referred, 73  
S. B. 40. To amend sections 1450 and 1506 of Code relating to, presented and referred, 43  
S. B. 144. To amend section 1528, etc., of Code in relation to the, in cities and towns, presented as committee bill, 140  
Read first time, 174  
Read second time, amended and passed by, 179  
Amendment proposed, 211  
Amendments proposed and passed by, 232  
Amended, 280  
Amended and passed by, 349  
Engrossed and passed, 501

**PUBLIC HALLS, THEATRES AND OPERA-HOUSES.**

H. B. 36. To require owners of, to provide suitable exits, communicated and referred, 76  
Reported, 81  
Read first time, 89  
Read second time, 94  
Amended, reconsidered and re-committed, 110  
Reported, 116  
Amended and passed, 122  
House agreed to Senate amendments, 128  
Signed, 157

**PUBLIC INSTITUTIONS AND EDUCATION (COMMITTEE OF).**

Resolution granting permission to the, to be absent, presented and agreed to, 134

**PUBLIC ROADS.**

House joint resolution in relation to improvement of, communicated and agreed to, 304  
H. B. 6. To provide for establishment and permanent improvement of the, communicated and referred, 91  
Reported and ordered printed, 141  
Reported, 191  
Constitutional reading dispensed with and passed by, 215  
Amended, 319  
Further amended and passed, 344  
House agreed to Senate amendments, 393  
Signed, 493

**PUBLIC SERVICE CORPORATIONS.**

S. B. 34. To amend section 5 of an act concerning, presented and referred, 42  
H. B. 42. To amend section 10 of an act concerning, communicated and referred, 115  
Committee discharged, constitutional reading dispensed with, amended and passed, 150  
House concurred in Senate amendments, 161  
Signed, 225  
H. B. 207. To amend section 10, chapter 4, of an act concerning, communicated and referred, 570  
Reported, 387  
Constitutional reading dispensed with and passed, 413  
Signed, 537



## PULASKI (TOWN OF).

H. B. 12. To establish a dispensary in, communicated and referred,	58
Reported,	67
Recommitted,	213
Reported,	251
Read first time,	280
Constitutional reading dispensed with, amended and passed,	290
Signed,	343

## RAILROAD BRIDGES.

S. B. 17. To regulate height of, presented and referred,	31
--	----

## RAILROADS.

H. B. 54. To repeal section 1258 of Code relating to, communicated and referred,	161
S. B. 264. To lessen danger of travel on, presented and referred,	304

## RAILROAD OR CANAL.

H. B. 145. To amend section 3725 of Code in relation to obstructing any, communicated and referred,	451
Committee discharged, constitutional reading dispensed with and passed,	453
Signed,	537

## RAILROAD COMPANIES.

S. B. 65. To amend section 1258 of Code in relation to, enclosing their road beds, presented and referred,	68
S. B. 158. To prevent transportation by, of excursions under certain conditions, presented and referred,	160
Reported,	237
Constitutional reading dispensed with, amended, engrossed and passed,	243
Passed House,	474
Signed,	535

## RAILROAD AND RAILWAY.

H. B. 43. Construing the terms, as meaning the same thing in law, communicated and referred,	115
Reported,	156
Read first time,	174
Read second time and amended,	178
Read third time and passed,	205

House agreed to Senate amendments,	234
Signed,	254

## RAILROAD TRAINS.

S. B. 171. To punish for maliciously throwing or shooting at, presented and referred,	169
H. B. 144. To punish persons throwing at, communicated and referred,	451
Committee discharged, constitutional reading dispensed with and passed,	465
Signed,	537

## RAPIDAN RIVER.

S. B. 107. In relation to fish ladders on the, presented and referred,	97
Reported from joint committee and referred,	117
Reported,	128
Read first time,	154
Read second time,	173
Engrossed,	178
Read third time and passed,	208
Passed House,	474
Signed,	535

## RAPPAHANNOCK COUNTY.

H. B. 269. To provide a road law for, communicated and referred,	491
Committee discharged, constitutional reading dispensed with and passed,	491
Signed,	543
H. B. 241. To amend dog law of, communicated and referred,	471
Committee discharged,	496
Constitutional reading dispensed with and passed,	514
Signed,	546
H. B. 262. To authorize trustees of, to borrow money, communicated and referred,	471

## REGISTER OF THE LAND OFFICE.

S. B. 81. To amend section 288 in relation to duties of the, presented and referred,	76
John W. Richardson nominated and elected,	35

## REINSTATEMENT OF A CAUSE.

S. B. 135. To amend an act in relation to, after final decree, presented and referred,	128
--	-----

## RELEASE OF CONTRACTS.

H. B. 199. To amend an act in relation to, for sale of personal property, communicated and referred,	370
Reported,	387
Constitutional reading dispensed with, amendment proposed and rejected, passed,	448
Signed,	542

## RELIGIOUS GATHERINGS.

H. B. 135. To exempt persons conducting eating-houses, etc., at, from license tax, communicated and referred,	283
Reported,	321
Read first time,	351
Read second time,	390
Read third time and passed,	422
Signed,	441

## REVENUE.

S. B. 2. To amend section 50 of an act to raise, presented and referred,	20
S. B. 10. To amend section 136 of an act to raise, presented and referred,	27
S. B. 36. To amend section 141 of an act to raise, presented and referred,	42
Reported,	321
S. B. 54. To amend section 17 of an act to raise, presented and referred,	55
S. B. 59. To amend sections 75 to 147 inclusive, of an act to raise, presented as committee bill,	64
Constitutional reading dispensed with, engrossed and passed,	64
Passed House,	74
Signed,	156
H. B. 78. To amend section 17 of an act to raise, communicated and referred,	182
Reported,	252
Read first time,	281
Indefinitely postponed,	444
S. B. 120. To amend section 41 of an act to raise, presented and referred,	108
S. B. 128. To amend section 11 of an act to raise, presented and referred,	118
S. B. 154. To amend section 43 of an act to raise, presented and referred,	144
Reported,	251

Constitutional reading dispensed with, amended, engrossed and passed,	252
S. B. 178. To amend section 37 of an act to raise, presented and referred,	172
S. B. 261. To amend sections 37 and 43 of an act to raise, presented and referred,	295
H. B. 230. To amend section 27 of an act to raise, communicated and referred,	481
Committee discharged,	481
H. B. 257. To amend sections 2 to 10 inclusive, of an act to raise, communicated and referred,	396
H. B. 229. To amend section 34 of an act to raise, communicated and referred,	480
Committee discharged,	481
S. B. 196. To amend section 43 of an act to raise, presented and referred,	197
Reported,	304
Constitutional reading dispensed with, engrossed and passed,	360
Passed House,	520
Signed,	534
S. B. 163. To amend section 25 of an act to raise, presented and referred,	162
Reported,	187
Constitutional reading dispensed with, amended, engrossed and passed,	210
Passed House,	298
Signed,	320
H. B. 45. To amend section 43 of an act to raise, communicated and referred,	115
Reported,	126
Read first time,	133
Read second time,	137
Read third time. amended by unanimous consent, and passed,	152
House refused to concur in Senate amendments,	158
Senate receded from its amendments,	158
Signed,	171

## REVERCOMB, GEORGE A.

Leave of absence granted,	72
---------------------------	----

## RICHMOND (CITY OF).

H. B. 118. To amend charter of the, communicated and referred,	189
Reported,	191
Constitutional reading dispensed with and passed,	207
Signed,	254

S. B. 184. To amend section 5 of charter of the, presented and referred,	176
Reported from joint committee and referred,	194
Committee discharged,	210
Constitutional reading dispensed with, amended and engrossed,	228
Amended by unanimous consent and passed,	257
Passed House,	331
Signed,	441

#### RIDGEWAY (TOWN OF).

S. B. 173. To establish dispensary in the, presented and referred,	169
Reported from joint committee and referred,	193
Reported,	218
Read first time,	246
Read second time, amended and engrossed,	262
Read third time and passed,	276
Passed House,	474
Signed,	528

#### RIGHTS OF WAY.

H. B. 270. To provide for location of, communicated and referred,	488
---	-----

#### ROANOKE (CITY OF).

S. B. 92. To authorize the, to sell or donate land, presented and referred,	87
Reported from joint committee and referred,	117
Committee discharged, constitutional reading dispensed with, amended, engrossed and passed,	247
Passed House,	364
Signed,	379

#### ROANOKE COUNTY.

H. B. 14. To authorize supervisors of, to aid in erection of monument, communicated and referred,	59
Committee discharged, constitutional reading dispensed with and passed,	129
Signed,	158
H. B. 15. To authorize, to erect monument, communicated and referred,	67
Committee discharged, constitutional reading dispensed with and passed,	129
Signed,	158

#### ROCKINGHAM COUNTY.

H. B. 272. To amend road law for, communicated and referred,	488
Committee discharged, constitutional reading dispensed with and passed,	289
Signed,	543

#### ROCKY MOUNT (TOWN OF).

H. B. 247. Establishing a dispensary in, communicated and referred,	484
Committee discharged, constitutional reading dispensed with and passed,	484
Signed,	540

#### RULES OF THE SENATE.

Adopted,	4
Amended,	24

#### RUSSELL COUNTY.

H. B. 169. To provide a road law for, communicated and referred,	303
Reported,	377
Constitutional reading dispensed with and passed,	464
Signed,	534
H. B. 159. To amend an act declaring Clinch river a lawful fence, communicated and referred,	478
Committee discharged,	501
Constitutional reading dispensed with and passed,	508
Signed,	540

#### SABBATH.

S. B. 189. To amend section 3977 of Code respecting violation of the, presented and referred,	188
Committee discharged, constitutional reading dispensed with, engrossed and passed,	188
Signed,	254

#### SALARIES, MILEAGE AND OTHER ALLOWANCES

S. B. 64. To amend second clause of section 183 of Code in relation to, presented and referred,	68
Reported,	126
Read first time,	153
Read second time and passed by,	164
Amended,	173
Read third time and passed,	221
Passed House,	313
Signed,	320

S. B. 30. To amend 12th article of section 183 of Code in relation to, presented and referred,	37
Reported,	117
Read first time,	134
Read second time, amended and engrossed,	138
Read third time and passed by,	152
Passed,	159
Passed House,	299
Signed,	320

## SALARIES OF STATE OFFICIALS.

S. B. 183. To repeal an act providing for garnishment of, presented and referred,	170
---	-----

## SALE OF INTOXICATING LIQUORS TO STUDENTS.

S. B. 83. To repeal an act in relation to, presented and referred,	77
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## SALE OF FLOUR, MEAL OR SHIP-STUFF.

S. B. 193. To regulate the, presented and referred,	19
Reported,	238
Read first time,	263
Read second time, amended and engrossed,	280
Read third time and passed,	327

## SALE OF GOODS AND CHATTELS.

S. B. 116. To amend section 2462 of Code in relation to, presented and referred,	103
Reported,	121
Read first time,	153
Read second time,	160
Amended and engrossed,	172
Further amended by unanimous consent and passed by,	177
Further amended by unanimous consent, read third time and passed,	206
Passed House,	298
Signed,	343

## SALEM (TOWN OF).

H. B. 72. To amend charter of the, communicated and referred,	190
Reported,	288
Read first time,	324
Constitutional reading dispensed with, amended and passed,	375
House agreed to Senate amendments,	426
Signed,	447

## SALEM (TOWN OF) AND ROANOKE COUNTY.

S. B. 149. To authorize the, to appropriate certain money, presented and referred,	143
Reported from joint committee and referred,	192
Committee discharged, constitutional reading dispensed with, engrossed and passed,	247
Passed House,	364
Signed,	364

## SEARS, J. BOYD

Leave of absence granted,	49
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## SECOND AUDITOR.

John G. Dew nominated and elected,	22
------------------------------------	----

## SECRETARY OF THE COMMON-WEALTH.

Communication from the, transmitting list of Senators elected,	3
Resolution requesting certain information in relation to insurance on State buildings, of the, presented and agreed to,	27
Directing the, to distribute among county judges copies of Virginia Reports No. 100, presented and agreed to,	31
Communication from the, presented and printed,	161

## SCHOOL TRUSTEES.

H. B. 284. Making referee in bankruptcy eligible as, communicated and referred,	523
---	-----

## SCOTT COUNTY.

H. B. 28. To repeal act for protection of fish in Holston river in, communicated and referred,	75
Committee discharged constitutional reading dispensed with and passed,	495
Signed,	541

## SENATE.

Resolutions of thanks to the officers of the, presented and agreed to,	544
H. T. Wickham elected president pro tempore of the,	12
Joseph Button elected clerk of the,	4
F. B. Watkins elected sergeant-at-arms of the,	13

S. M. Donald elected doorkeeper of the,  
 Jos. W. Parkinson, Hugh M. Seay, Frank Burton and Marshall Brownley elected pages of the,  
 Mr. Wickham ordered to notify the House that the, is organized and ready to proceed to business,  
 Mr. Wallace notified the, that the House was organized and ready to proceed to business,  
 Wm. Wilson appointed Document Clerk and Librarian of the,  
 Standing committees of the, elected,

### SENATORS.

List of, elected,  
 Oath administered to,

### SEVENTH JUDICIAL CIRCUIT.

S. B. 72. To amend section 3056, etc., of Code in relation to terms of courts in the, presented and referred,  
 Committee discharged and constitutional reading dispensed with,  
 Indefinitely postponed,

### SHACKELFORD, GEORGE S.

Leave of absence granted,

### SHENANDOAH RIVER.

H. B. 236. To protect fish in, communicated and referred, 483

### SHENANDOAH (TOWN OF).

H. B. 235. To empower council of the, to borrow money, communicated and referred, 459  
 Committee discharged, constitutional reading dispensed with, 512  
 Passed, 532  
 Signed, 547

### SHENANDOAH, FREDERICK, CLARKE, WARREN AND PAGE COUNTIES.

S. B. 46. In relation to boards of supervisors of, presented and referred, 50

### SHEPARD, JOSEPH H.

House joint resolution in relation to proceedings against, communicated, 433  
 Committee discharged and agreed to, 450

### SHOOTING OR THROWING STONES.

S. B. 111. To prevent, at trains, etc., presented and referred, 103

### SINGLE LIST OF TEXT BOOKS.

Joint resolution in relation to selection of a, by State Board of Education, presented and referred, 107  
 Reported, 122  
 Adopted, 201  
 Adopted by House, 473

### SLEEPING CARS.

H. B. 168. Empowering conductors on, etc., to reject certain persons, communicated and referred, 295  
 Committee discharged, constitutional reading dispensed with, amended and passed, 296  
 House concurred in Senate amendments, 299  
 Signed, 311

### SLEMP, CAMPBELL.

Nominated for United States Senator, 52

### SMALL-POX HOSPITALS, PEST-HOUSES, ETC.

H. B. 104. To prohibit establishment of, within fifty yards of any street, etc., communicated and referred, 184  
 Reported, 267  
 Read first time, 322  
 Read second time, 339  
 Read third time and passed, 433  
 Signed, 537

### SMITH, W. H.

House joint resolution directing Attorney-General to institute suit against sureties of, communicated, amended and agreed to, 491  
 House agreed to Senate amendment, 500

### SMITH, GOVERNOR WILLIAM.

H. B. 109. To authorize statute of, to be erected on Capitol Square, communicated and referred, 184  
 Reported, 238  
 Constitutional reading dispensed with, 250  
 Passed, 257  
 Signed, 312

## SMITHFIELD (TOWN OF).

- H. B. 246. In relation to election of officers of, communicated and referred, 484

## SOCIAL CLUBS.

- S. B. 190. To amend an act in relation to, presented and referred, 190  
Reported, 270  
Constitutional reading dispensed with and engrossed, 295  
Motion to reconsider passed by, 295  
Reconsidered, substitute adopted, engrossed and passed, 325  
Passed House, 474  
Signed, 528  
S. B. 251. To repeal an act in relation to, presented and referred, 279

## SOUTHAMPTON COUNTY.

- H. B. 100. For the protection of squirrels in, communicated and referred, 183  
Committee discharged, constitutional reading dispensed with and passed, 451  
Signed, 535

## SPECIAL ELECTIONS.

- S. B. 213. To prescribe qualification of voters in, presented and referred, 204  
Reported, 269  
Constitutional reading dispensed with, amended, engrossed and passed, 329  
Rejected by House, 522

## STATE BOARD OF EDUCATION.

- Communication from the, 104

## STATE BOARD OF MEDICAL EXAMINERS.

- H. B. 111. To require, to preserve examination papers, communicated and referred, 184  
Reported, 334  
Read first time, 391

## STATE BOARD OF HEALTH.

- S. B. 141. To amend section 5 of an act providing for the appointment of the, presented and referred, 136  
Reported, constitutional reading dispensed with, engrossed and passed, 154  
Passed House, 161  
Signed, 200

## STATE CORPORATION COMMISSION.

- Bev. T. Crump appointed a member of the, 29  
Appointment confirmed, 39  
S. B. 270. To require the, to recall assessments on building and loan associations, presented and referred, 308  
H. B. 198. To authorize the, to recall assessments on building and loan associations, communicated and referred, 345  
Reported, 374  
Read first time, 392  
Constitutional reading dispensed with and rejected, 428  
Motion to reconsider passed by, 429  
Reconsidered and passed, 497  
Signed, 541

## STATE, COUNTY, DISTRICT AND CITY OFFICERS.

- S. B. 140. To amend an act in relation to election of, presented and referred, 136  
Reported, 289  
Read first time, 352  
Constitutional reading dispensed with, 422  
S. B. 239. To amend section 95 of Code in relation to election of, presented and referred, 256  
Reported, 304  
Constitutional reading dispensed with, engrossed and passed, 361  
Passed House, 520  
Signed, 541

## STATE DEPOSITORIES.

- S. B. 3. To amend section 753 of Code in relation to, presented and referred, 20  
Reported, 116  
S. B. 5. To amend section 753 of Code in relation to, presented and referred, 21  
S. B. 253. To regulate the amount to be paid into treasury by the, presented and referred, 280  
H. B. 2. To amend section 753 of Code in relation to, communicated and referred, 53  
Read first time, 132  
Read second time and substitute adopted, 136  
Read third time and passed, title amended, 141  
House refused to concur in Senate amendments, 363

Senate insists upon its amend-  
ments and asks for conference, 386  
House agrees to conference and  
committee appointed, 397  
Conference report presented and  
adopted, 445  
Adopted by House, 446  
Signed, 539

#### STATE FEMALE NORMAL SCHOOL AT FARMVILLE.

S. B. 94. To appropriate \$60,000 to  
the, presented and referred, 88  
Reported, 139  
Read first time, 154  
Read second time, 173  
Amended, constitutional reading  
dispensed with, engrossed and  
passed, 223  
Passed House, 394  
Signed, 441

#### STATE HOSPITALS.

S. B. 118. To amend section 1662,  
etc., of Code in relation to, pre-  
sented and referred, 105  
S. B. 217. To amend section 1671  
of Code in relation to, presented  
and referred, 221  
Reported, 376

#### STATE LAW LIBRARY.

Communication from the Libra-  
rian in reference to the, pre-  
sented, 29

#### STATE LIBRARY.

S. B. 24. To provide for protec-  
tion of books, etc., in the, pre-  
sented and referred, 33  
Reported, 37  
Read first time, 44  
Read second time and engrossed, 49  
Read third time and passed, 51  
Passed House, amended, 102  
Senate concurred in House  
amendments, 109  
Signed, 156  
S. B. 73. To amend sections 249,  
253, etc., of Code in relation to  
conduct of the, presented and  
referred, 70  
Reported, 126  
Read first time, 153  
Read second time and engrossed, 178  
Read third time and passed, 206  
Passed House, 332  
Signed, 343

#### STATE MILITIA.

S. B. 259. Appropriating \$5,000 for  
the, to attend launching of the  
Virginia, presented and referred, 293

#### STATE ROAD COMMISSION.

S. B. 205. To create a, presented  
and referred, 199

#### STATE SANITARIUM FOR CON- SUMPTIVES.

S. B. 245. To provide for commis-  
sion to investigate advisability  
of establishing a, presented and  
referred, 272  
Committee discharged, constitu-  
tional reading dispensed with,  
amended, engrossed and passed, 471

#### ST. CLAIR, P. F.

Leave of absence granted, 129

#### STATUTES.

S. B. 55. To amend section 4 of  
Code in relation to time, take  
effect, presented and referred, 55  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 55  
Passed House, 74  
Signed, 76

#### STEAMBOAT WHARVES.

H. B. 30. To require owners of,  
to provide suitable accommoda-  
tions, communicated and re-  
ferred, 75  
Reported, 81  
Recommitted, 89  
Reported, 234  
Read first time, 245  
Read second time and amended, 444  
Constitutional reading dispensed  
with and passed, 449  
House agreed to Senate amend-  
ments, 517  
Signed, 540

#### STRASBURG (TOWN OF).

S. B. 105. Authorizing the, to  
issue bonds, presented and re-  
ferred, 34  
Reported from joint committee  
and referred, 192  
Committee discharged, constitu-  
tional reading dispensed with,  
engrossed and passed, 248  
Passed House, amended, 332

Senate concurred in House amend- 333  
ment,  
Signed, 442

# SUB-DIVISION OF TRACTS OF LANDS.

S. B. 87. To amend an act relat- 82  
ing to the, presented and re-  
ferred,

# SUPERINTENDENT PUBLIC PRINT- ING.

J. H. O'Bannon nominated and 22  
elected,  
S. B. 269. To amend section 273  
of Code in relation to duties of  
the, presented and referred, 307  
Reported, 343  
Read first time, 392  
Constitutional reading dispensed  
with, engrossed and passed, 504  
Passed House, 538  
Signed, 547

# SUPERINTENDENT OF PUBLIC IN- STRUCTION.

S. B. 257. Requiring the, to en- 292  
force collection of certain judg-  
ments, presented and referred,

# SUPERVISORS.

H. B. 71. To amend section 848  
of Code in relation to pay of,  
communicated and referred, 368

# SURRY COUNTY.

H. B. 99. To allow certain per- 183  
sons in, to erect a wharf, com-  
municated and referred,  
S. B. 114. To authorize certain  
persons to erect a wharf on  
James river in, presented and  
referred, 103  
Joint committee discharged, 107  
Read first time and referred, 107  
Committee discharged, constitu-  
tional reading dispensed with  
and recommitted to joint com-  
mittee, 107  
Reported from joint committee  
and referred, 122

# SUSSEX AND GREENESVILLE COUNTIES.

H. B. 31. To provide road law  
for, communicated and re-  
ferred, 75  
Reported, 191  
Read first time, 215

Constitutional reading dispensed  
with, amended and passed, 231  
House agreed to Senate amend-  
ment, 251  
Signed, 254

# TANNER'S CREEK.

S. B. 292. To change name of,  
presented and referred, 468  
Joint committee discharged and  
referred, committee discharged,  
constitutional reading dispensed  
with, engrossed and passed, 468  
Passed House, 538  
Signed, 540

# TAVENNER, F. S.

Leave of absence granted, 26

# TAXES AND LEVIES.

S. B. 126. To require interest to  
be paid on all, remaining un-  
paid, presented and referred, 118  
Committee discharged, 162  
Read first time, 175  
Read second time, amended and  
engrossed, 205  
Read third time and passed, 230  
Passed House, 474  
Signed, 493

# TAZEWELL COUNTY.

S. B. 231. In relation to working  
roads in, presented and referred, 239  
Reported from joint committee  
and referred, 267

# TAZEWELL (TOWN OF).

S. B. 52. To vacate and close cer-  
tain streets in the, presented  
and referred, 55  
Reported from joint committee  
and referred, 81  
H. B. 240. To allow the, to bor-  
row money, communicated and  
referred, 427  
Committee discharged, constitu-  
tional reading dispensed with  
and passed, 456  
Signed, 543

# TELEPHONE AND TELEGRAPH COMPANIES.

S. B. 263. To regulate connection  
between, presented and re-  
ferred, 304



<b>THOMAS, A. F.</b>			
Personal privilege,	82	Constitutional reading dispensed with, amended and passed,	415
Leave of absence granted,	141	House concurred in Senate amendments,	473
		Signed,	539
<b>TREASURERS.</b>		<b>UNITED STATES SENATOR.</b>	
S. B. 289. To allow, further time to collect certain taxes, presented and referred,	405	House joint resolution providing for election of, communicated and agreed to,	48
Constitutional reading dispensed with, committee discharged, engrossed and passed,	406	John W. Daniel and Campbell Slemp nominated for,	52
<b>TRESPASS.</b>		<b>UNITED STATES SENATORS.</b>	
H. B. 215. In relation to, communicated and referred,	427	S. B. 110. To provide for the election of, by primary, presented and referred,	101
<b>TRUSTEES OF CONGREGATIONS, CHURCHES, ETC.</b>		Reported,	147
S. B. 276. To amend section 1406 of Code in relation to proceedings by, presented and referred,	320	Read first time,	175
Committee discharged,	342	<b>VIRGINIA POLYTECHNIC INSTITUTE.</b>	
Read first time,	392	Petition from student of the, in relation to appropriation to the, presented and referred,	124
Constitutional reading dispensed with, engrossed and passed,	400	S. B. 86. To appropriate the sum of \$200,000 to the, presented and referred,	82
Passed House,	522	Reported,	139
Signed,	541	Read first time,	154
<b>TURNER, S. T.</b>		Read second time,	174
Leave of absence granted,	280	Amendments proposed,	204
<b>UNAUTHORIZED USE OF NAME OR PICTURE.</b>		Amended, constitutional reading dispensed with, engrossed and passed,	222
S. B. 35. To prevent the, of any person for advertising purposes, presented and referred,	42	Passed House,	394
Reported,	116	Signed,	493
Read first time,	153	<b>VIRGINIA STATE HORTICULTURAL SOCIETY.</b>	
Read second time, amended and engrossed,	159	S. B. 139. Making appropriation to the, presented and referred,	136
Reconsidered, amended, engrossed and passed,	171	Reported,	186
Passed House,	298	Read first time,	215
Signed,	312	Read second time and engrossed,	233
<b>UNLAWFUL HUNTING.</b>		Read third time and passed,	264
S. B. 28. To amend section 2070 of Code in relation to, presented and referred,	37	Passed House,	474
S. B. 50. To prevent, presented and referred,	51	Signed,	535
H. B. 5. To amend section 2070a of Code in relation to, communicated and referred,	53	<b>VESTED REMAINDERMAN.</b>	
Reported,	221	S. B. 75. To amend an act in relation to, presented and referred,	72
Recommitted,	244	<b>VINTON (TOWN OF).</b>	
Reported,	284	H. B. 192. To provide a new charter for the, communicated and referred,	371
Read first time,	321		

Committee discharged, constitutional reading dispensed with and passed, 416  
Signed, 527

### WAGE EARNERS.

Petition in relation to bill amending section 3652 of Code exempting certain, presented and referred, 98

### WARRENTON AND FAUQUIER WHITE SULPHUR SPRINGS TURNPIKE COMPANY.

H. B. 267. To repeal charter of the, communicated and referred, 487  
Committee discharged, constitutional reading dispensed with and passed, 487  
Signed, 546

### WARRENTON AND MARSHALL ROAD COMPANY.

H. B. 268. To repeal charter of the, communicated and referred, 488  
Committee discharged, 488  
Constitutional reading dispensed with and passed, 511  
Signed, 546

### WAYNESBORO (TOWN OF).

S. B. 26. To amend charter of the, presented and referred, 34  
Committee discharged, constitutional reading dispensed with, amended, engrossed and passed by, 34  
Reconsidered, referred to joint committee, reported from joint committee and referred, committee discharged, amended, engrossed and passed, 38  
Passed, 63  
Signed, 63

### WESTERN STATE HOSPITAL.

S. B. 212. To constitute matron and pharmacist of the, officers, presented and referred, 200  
Reported, 375

### WICKHAM, HENRY T.

Leave of absence granted, 104

### WIDOWS OF CONFEDERATE SOLDIERS.

S. B. 240. To provide for the, presented and referred, 256

### WILLIAM AND MARY COLLEGE.

S. B. 153. To appropriate money to, presented and referred, 144  
Joint resolution in relation to appropriation to, presented, 432

### WINCHESTER (CITY OF).

H. B. 44. To authorize trustees of Hanley fund in the, to invest certain money, communicated and referred, 79  
Committee discharged, constitutional reading dispensed with and passed, 80  
Signed, 97

### WORKS OF INTERNAL IMPROVEMENT.

H. B. 41. To repeal sections 1185-9 of Code in relation to, communicated and referred, 114  
Reported, 121  
Constitutional reading dispensed with and passed, 132  
Signed, 157

### WYTHE COUNTY.

S. B. 282. To permit hunting of snipe in, presented and referred, 339  
Reported from joint committee and referred, 394  
H. B. 232. To amend road law of, communicated and referred, 481















